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1916



TO REGULATE THE OFFICERING AND MANNING OF VESSELS

HEARINGS

BEFORE

THE COMMITTEE ON THE
MERCHANT MARINE AND FISHERIES $\frac{328}{606}$

H. D. Comp. HOUSE OF REPRESENTATIVES

SIXTY-FOURTH CONGRESS

FIRST SESSION

ON

H. R. 8036

APRIL 6, 1916



WASHINGTON
GOVERNMENT PRINTING OFFICE
1916

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1916

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES.

HOUSE OF REPRESENTATIVES.

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RUFUS HARDY, Texas.

MICHAEL E. BURKE, Wisconsin.

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J. C. BAY, *Clerk*.

II

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JUL 7 1916

OFFICERING AND MANNING OF VESSELS.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., Thursday, April 6, 1916.

The committee met at 10.30 o'clock a. m., Hon. Joshua W. Alexander (chairman) presiding.

The CHAIRMAN. We have under consideration this morning H. R. 8036, a bill to regulate the officering and manning of vessels subject to the inspection laws of the United States, which reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section forty-four hundred and sixty-three of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4463. That any vessel of the United States subject to the provisions of this title or to the inspection laws of the United States shall not be navigated unless she shall have in her service and on board such complement of licensed officers and crew, including certificated lifeboat men, separately stated, as may, in the judgment of the local inspectors who inspect the vessel, be necessary for her safe navigation. The local inspectors shall make in the certificate of inspection of the vessel an entry of such complement of officers and crew, including certificated lifeboat men, separately stated, which may be changed from time to time by indorsement on such certificate by local inspectors by reason of change of conditions or employment. Such entry or indorsement shall be subject to a right of appeal, under regulations to be made by the Secretary of Commerce, to the supervising inspector and from him to the supervising inspector general, who shall have the power to revise, set aside, or affirm the said determination of the local inspectors.

"If any such vessel is deprived of the services of any number of the crew, including certificated lifeboat men, separately stated, without the consent, fault, or collusion of the master, owner, or any person interested in the vessel, the vessel may proceed on her voyage if, in the judgment of the master, she is sufficiently manned for such voyage: *Provided*, That the master shall ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same grade or of a higher rating with those whose places they fill. If the master shall fail to explain in writing the cause of such deficiency in the crew, including certificated lifeboat men, separately stated, to the local inspectors within twelve hours of the time of the arrival of the vessel at her destination, he shall be liable to a penalty of \$50. If the vessel shall not be manned as provided in this act, the owner shall be liable to a penalty of \$100, or, in case of an insufficient number of licenses officers, to a penalty of \$500."

SEC. 2. That the board of local inspectors shall make an entry in the certificate of inspection of every ocean and coastwise seagoing merchant vessel of the United States propelled by machinery, and every merchant vessel navigating the Great Lakes propelled by machinery, and every vessel carrying passengers, the minimum number of licensed deck and engineer officers required for her safe navigation according to the following scale:

That no such vessel propelled by machinery shall be navigated unless she shall have on board and in her service one duly licensed master and one duly licensed chief engineer, and every vessel carrying passengers not being propelled by machinery shall have on board and in her service one duly licensed master.

That every such ocean and coastwise seagoing merchant vessel of one thousand gross tons and over, propelled by machinery, shall have in her service and on board three licensed mates, who shall stand in three watches while such vessel is being navigated, unless such vessel is engaged in a run for less than four hundred miles

from the port of departure to the port of final destination, then such vessel shall have two licensed mates; and every vessel of two hundred gross tons and less than one thousand gross tons, propelled by machinery, shall have two licensed mates.

That every such ocean and coastwise seagoing merchant vessel of one thousand gross tons and over, propelled by machinery, shall have in her service and on board not less than three licensed assistant engineers, who shall stand in three watches while such vessel is being navigated.

That every such vessel of two hundred gross tons and less than one thousand gross tons, propelled by machinery, shall have in her service and on board not less than two licensed assistant engineers, who with the chief engineer shall stand in three watches.

That every such vessel of one hundred gross tons and under two hundred gross tons, propelled by machinery, shall have on board and in her service one licensed mate and one licensed assistant engineer, but if such vessel is engaged in a trade in which the time required to make the passage from the port of departure to the port of destination exceeds twenty-four hours, then such vessel shall have two licensed mates and two licensed assistant engineers.

That nothing in this section shall be so construed as to prevent local inspectors from increasing the number of licensed officers on any vessel subject to the inspection laws of the United States if, in their judgment, such vessel is not sufficiently manned for her safe navigation: *Provided*, That this section shall not apply to fishing or whaling vessels, yachts, or motor boats as defined in the Act of June ninth, nineteen hundred and ten.

SEC. 3. That it shall be unlawful for the master, chief engineer, owner, agent, or other person having authority, to permit an officer of any vessel to take charge of the deck or engine-room watch of the vessel upon leaving or immediately after leaving port, unless such officer shall have had at least six hours off duty within the twelve hours immediately preceding the time of sailing, and no licensed officer on any ocean or coastwise vessel shall be required to do duty to exceed nine hours of any twenty-four while in port, including the date of arrival, or more than twelve hours of any twenty-four at sea, except in case of emergency when life or property is endangered. Any violation of this section shall subject the person or persons guilty thereof to a penalty of \$100.

SEC. 4. That the board of local inspectors shall make an entry in the certificate of inspection of every merchant vessel of the United States propelled by machinery and navigated exclusively on inland waters of the United States, and every such vessel carrying passengers, the number of licensed officers required for her safe navigation according to the following minimum scale:

That every such vessel shall have in her service a sufficient number of licensed officers so that no one of them shall be required to be on watch more than fifty-six hours in any one week, nor more than thirteen hours in any one day of twenty-four hours, from midnight to midnight.

That the owner of every such vessel shall supply the commanding officer and chief engineer with a log book or log books, in form approved by the Supervising Inspector General, in which it shall be the duty of the master and chief engineer to keep a record of all matters pertaining to the operation of such vessel. Any violation of this section shall subject the vessel, master, or chief engineer, in respect to which such violation occurs to a penalty of \$100 for each offense.

SEC. 5. That all laws or parts of laws in conflict with this act are hereby repealed.

STATEMENT OF MR. BRUCE GIBSON, PRESIDENT NATIONAL MARINE ENGINEERS' BENEFICIAL ASSOCIATION, 50 BROAD STREET, NEW YORK CITY.

Mr. GIBSON. Mr. Chairman and gentlemen of the committee, I would like to state that there are a few typographical errors in the printed bill, and we have an amendment we would like to submit to the committee also, and with your permission I will read those first.

On page 1, line 6, strike out the word "that." I am reading from the law as it is. Part of this bill does not change the law at all.

On page 1, line 10, after the word "crews," strike out the comma.

On page 2, line 4, after the word "crews," strike out the comma.

The CHAIRMAN. Never mind those punctuation marks. We will get them.

Mr. GIBSON. There is another on page 2, line 10; the words "super-vising inspector general" should have been capital letters, the way it is printed in the law.

On page 2, line 14, after the word "crew," strike out the comma; and on page 2, line 20, strike out the word "who" and insert in lieu thereof the word "whose."

The CHAIRMAN. We understand that. We will attend to the punctuation.

Mr. GIBSON. On page 3, line 9, after the word "machinery," strike out "and every merchant vessel navigating the Great Lakes propelled by machinery."

The CHAIRMAN. You say strike out those words?

Mr. GIBSON. Strike out the words "and every merchant vessel navigating the Great Lakes propelled by machinery."

On page 3, line 25, strike out the word "for" and insert in lieu thereof the word "of".

On page 5, line 23, after the words "United States," strike out the words "and every such vessel carrying passengers." That phrase is superfluous; it is repeating what comes before it.

We have this to submit also, gentlemen: On page 4, after line 22, insert the following:

That every merchant vessel navigating the Great Lakes, propelled by machinery, shall have on board and in her service one duly licensed chief engineer; that every such merchant vessel of two thousand five hundred gross tons and over, propelled by machinery, shall have in her service and on board not less than three licensed assistant engineers; and every vessel of one thousand gross tons and less than two thousand five hundred gross tons, propelled by machinery, shall have two licensed assistant engineers, who, with the chief engineer, shall stand in three watches; that every such vessel carrying passengers of one thousand five hundred gross tons or over, propelled by machinery, shall have in her service and on board not less than three licensed assistant engineers; and every such vessel of seven hundred and fifty gross tons and less than one thousand five hundred gross tons, propelled by machinery, shall have two licensed assistant engineers, who, with the chief engineer, shall stand in three watches.

Now, I will submit this amendment to the committee. That would be the bill, as we suggest it.

Mr. Chairman and gentlemen of the committee, I will briefly state the purposes of the bill and why it was introduced at my request.

The licensed engineer officers are the only employees on steam vessels, with the exception of the stewards' department, who have not the protection of the law, as to a minimum number to be carried, it being left entirely to the discretion of the Steamboat-Inspection Service, and in a number of instances vessels engaged in a like trade, no two inspectors agree as to the complement of men to be carried.

The law specifically states a minimum number of deck officers that shall be carried, that the sailors shall, while at sea, be divided into at least two, and the firemen, oilers, and water tenders into at least three watches.

The engineer, who to-day is the sinews of the ship, the man upon whom rests the responsibility of getting his charge from port to port, who at all times must be prepared for an emergency that may arise, and in the event of a breakdown the one who is looked to to get the vessel into a port of safety, which may mean saving the lives of those on board.

On the modern steel steamship of this period, it is the engineer who is called on to make all repairs, whether it be in the engine room,

boiler room, on deck, or elsewhere, and with all of this responsibility the Government has been willing that he work excessive hours, in a hot, foul-smelling place, and when emergencies might arise that would necessitate his laboring to save the vessel or those on board his condition would perhaps unfit him for giving his best.

I feel safe in saying that at least 80 per cent of the steam vessels—I make this as a conservative estimate—now carry the number, or a larger number, of engineer officers that this bill calls for. It will overcome a contention that has long been made that the Steamboat-Inspection Service caters to the steamship companies, and, on the other hand, in some instances, the claim of the steamship companies that the service favors the men. All vessels sailing under like conditions will be required to carry the same complement of engineers; an equality for all, shipowner as well as licensed officer.

I would like to briefly quote from the record of the hearings before the Committee on the Merchant Marine and Fisheries on the seamen's bill February 24 through March, 1914, to substantiate the arguments I have made that the law should provide the minimum number of licensed engineer officers that should be on a vessel.

On page 45 of the hearings Mr. Hardy, a member of this committee, asked the question:

And those are extra men required by the Navigation Bureau without any specific requirement of law as it is now?

The CHAIRMAN. No.

Capt. DOLLAR. Well, I do not know how that is. We are forced to put them on. The inspection service compels us to put them on.

Mr. HARDY. By regulations of their own, is it not? We have very meager statutory laws, if any at all, that determine how many men you must put on a ship.

Capt. DOLLAR. I never saw any such law.

The CHAIRMAN. No.

Capt. DOLLAR. In fact, it would not be a bad idea if we did have a law that would stipulate the number of men that had to be put on a cargo boat, provided that that number should correspond with that of our competitors in the foreign trade.

Now, gentlemen, that is an argument that has been put forth many times. They are comparing our merchant marine with the foreign, and at the same time they have all taken advantage of the American flag, and Capt. Dollar is one of them. When the emergency order was issued in September of 1914, Capt. Dollar placed some vessels under the American flag, in order that those vessels might have the protection of the American flag, and later on he came out and made this statement that as soon as the war is over he is going to transfer those vessels back to the British flag. I do not think this is justice to the merchant marine of this Government, to allow any man to use the flag simply for his own protection, and not for the protection and good of the Government.

On page 481 of the same hearings I would like to quote Gen. Uhler, Supervising Inspector General of the Steamboat-Inspection Service, who testified:

The CHAIRMAN. Prior to that time they had been exercising that power, but the courts held they had not power vested in the board of supervising inspectors, as they were not at these different boats, and it was improper for them to exercise a power, as I recall the debate at the time. Now, is it not possible for us, for Congress, to prescribe the minimum crew that each vessel shall have without leaving the power still lodged in the local inspectors?

Mr. UHLER. I should say so, Mr. Chairman, because you have the same thing in the same section now.

The CHAIRMAN. Don't you think it is desirable to do so?

Mr. UHLER. I should say yes.

The CHAIRMAN. From the testimony here it shows, and it has not been questioned, that this large passenger steamer, the *Christopher Columbus*, has a certificate of a certain number of men as her crew that is less than the responsible owners of the vessel use. They use four or five or six times as many than is required by the certificate, so that the certificate in fact is worthless. If that is true, it does not mean anything, as far as providing the equipment of that ship is concerned. Now, so far as the pressure brought on the inspector is concerned, I suppose on the one side the shipowners bring their pressure to bear and on the other side the associations of engineers, officers, mates, and pilots, and the seamen's union bring such pressure to bear. They have been before our committees at different times, and both these influences are brought to bear upon the local inspectors. With what effect, of course, I would not undertake to say; but I will say this, that it is always best not to vest such a large power and such important power in any one man if Congress can define the law and prescribe what shall be a sufficient crew for a vessel of a certain type. Now, do you think it is practicable for us to do that?

Mr. UHLER. Congress has also done that, Mr. Chairman, in section 4463, where they prescribe a minimum number of mates to be carried on the ocean vessels.

That was the reply of the Supervising Inspector General of the Steamboat-Inspection Service.

That is the purpose of the bill, and I would like to waive my rights at the present time and make my other remarks later on and allow some of the other gentlemen to take the floor now, in order that I may have the privilege of closing the hearing before the committee.

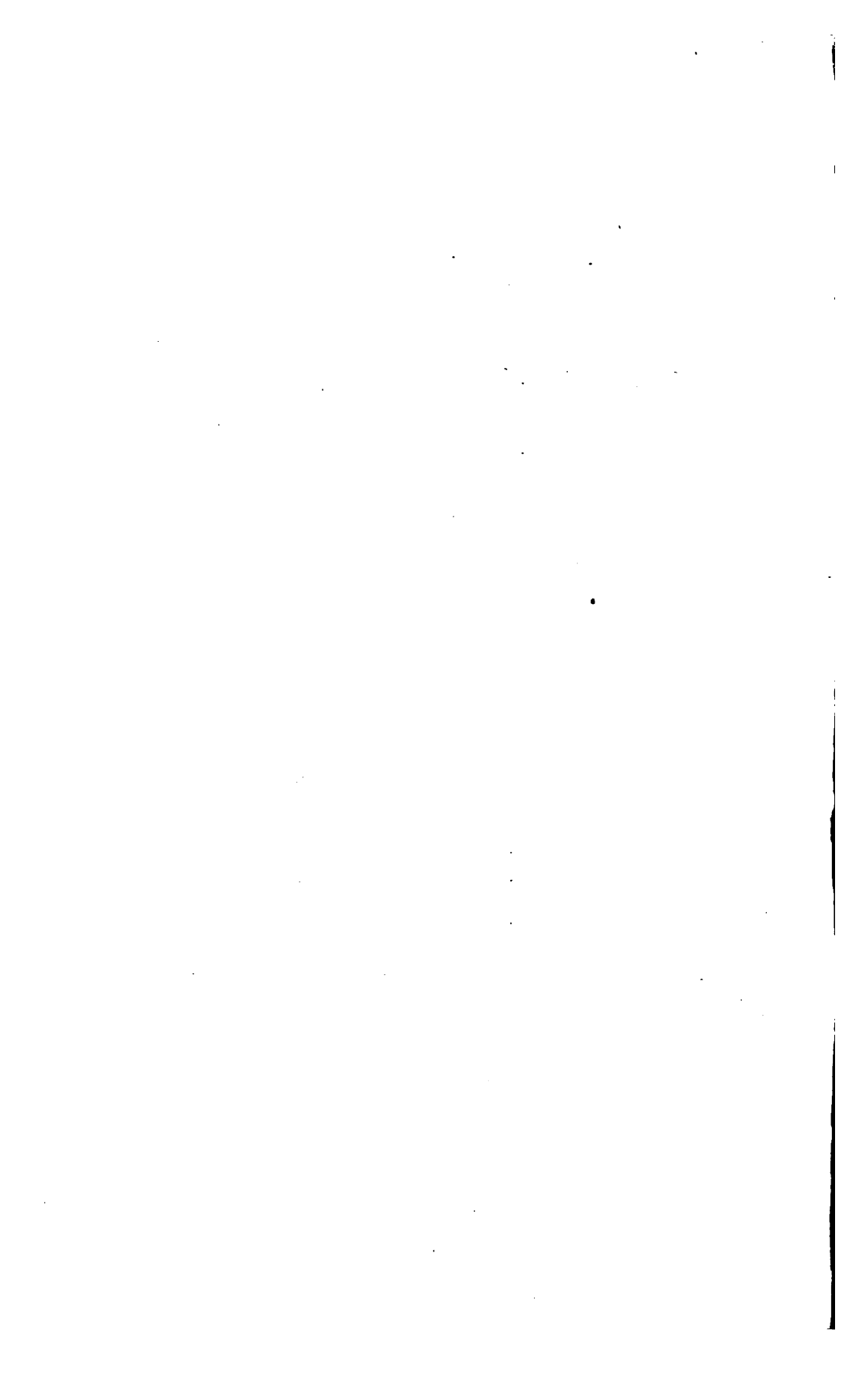
STATEMENT OF MR. A. G. STILES, 35 BEAVER STREET, NEW YORK CITY, COUNSEL FOR THE MASTERS, MATES, AND PILOTS' ASSOCIATION.

Mr. STILES. Mr. Chairman and gentlemen, I wish to address myself entirely to the provision in this act, in paragraph 4, I believe it is, which provides for a 56-hour week, 56 hours of labor per week, for the licensed officers of steam vessels.

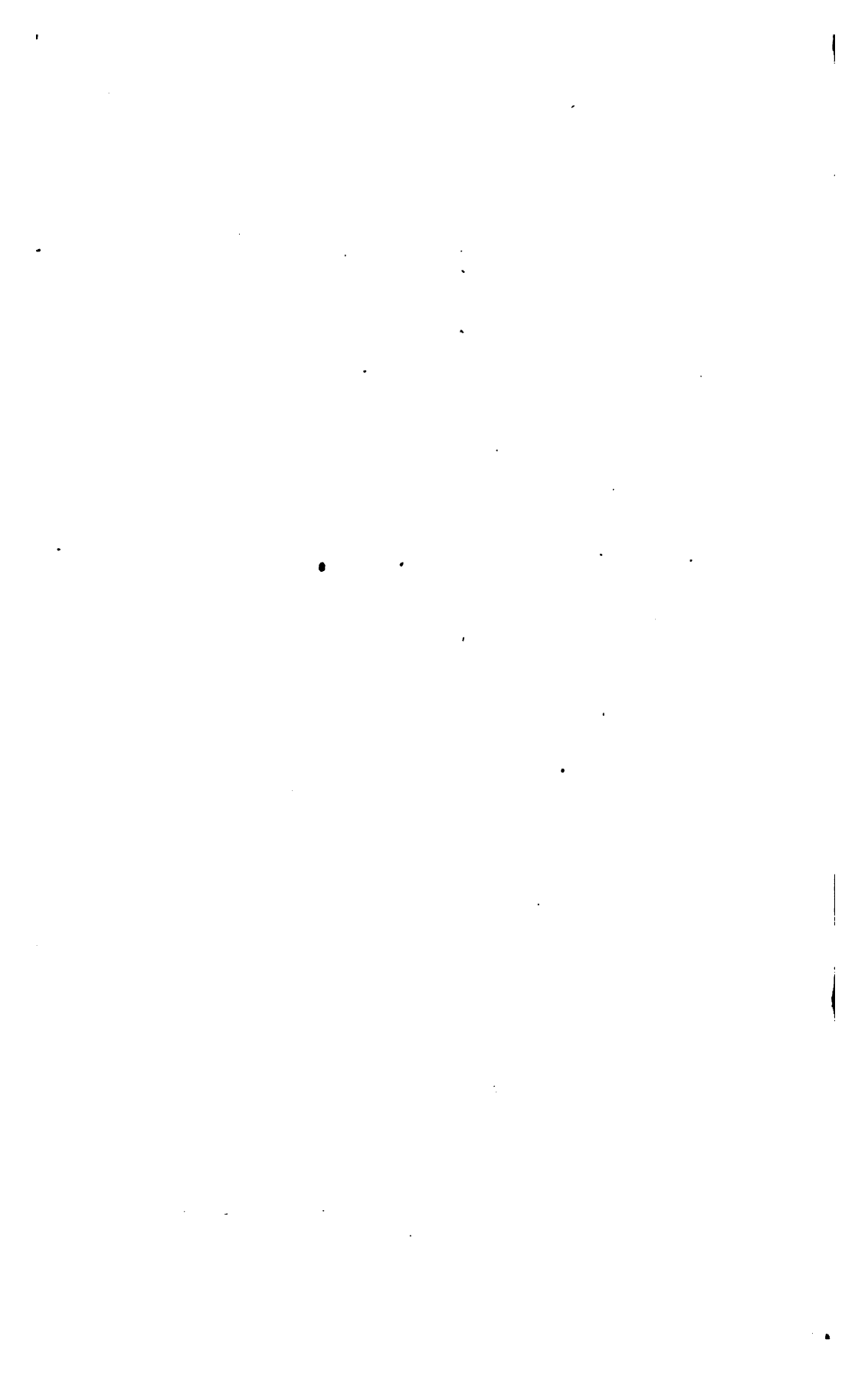
In speaking for this provision, it is merely necessary to state the hours and conditions under which these men work. Take for instance, in the city of New York, where I am most familiar, most of the vessels operated by the railway companies—tugs, steam lighters, and other vessels of that class—are operated with a double crew, 12 hours per day each. There is one crew working from, say, 6 o'clock in the morning until 6 o'clock in the evening, and another working from 6 o'clock in the evening until 6 o'clock in the morning. Sometimes they change the hours—from 4 to 4, or 5 to 5,

This necessitates that these men get up at 4 o'clock in the morning, or a quarter after 4, in order to get their breakfast and travel to the locality where the crews are shifted. They work there 12 hours, and then they spend perhaps an hour getting home, and by the time they wash up and go to bed, it is practically all they have time for. Taking, perhaps, 12 hours work and, say, 3 hours returning to and from their work and getting their breakfast and supper, they put in 15 or more hours per day, and the rest of the time is practically all taken up in sleep. This condition exists in some cases for 7 days in the week; 365 days per year.

In order to qualify for the positions these men hold they must begin at an early age and serve as deck hands. They work, perhaps, as deck hands—I am speaking now of the deck department—for three years before they can qualify for a license. Then, perhaps, they get a pilot's license or a mate's license, and they have to serve







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H. D. G. H. HOUSE OF REPRESENTATIVES

SIXTY-FOURTH CONGRESS

FIRST SESSION

ON

H. R. 8036

APRIL 6, 1916



WASHINGTON
GOVERNMENT PRINTING OFFICE

1916

STATEMENT OF MR. WALTER B. POLLOCK, MANAGER MARINE DEPARTMENT, NEW YORK CENTRAL LINES, NEW YORK CITY, N. Y.

Mr. POLLOCK. My remarks, Mr. Chairman and gentlemen, will be confined to section 4 of House bill 8036, which, if enacted into a law, would limit to 56 hours per week the number of hours to be worked by licensed men on steamboats in inland waters, which takes in New York Harbor; and I want to state, regardless of any contradiction to the contrary, that it would be impossible to secure a sufficient number of licensed men, either in the deck or engineering departments, to put tugboats and steam lighters in New York Harbor on an eight-hour working schedule.

Furthermore, it would be impracticable for us to change our crews every 8 hours, and that is evidently conceded by the advocates of this bill, because the bill provides that a man may work not to exceed 13 hours in any one day, which, to my mind, contemplates working as we do on the ferries in New York Harbor. The crews work 12 hours and lay off 24 hours, which is the equivalent of an eight-hour working day.

I think that Capt. Stiles said that the men have to work 12 hours per day for 365 days in the year. Our men—and we have 25 tugboats, the New York Central Railroad Co., in New York Harbor—work 72 hours per week. In other words, we give them one day off a week, and one week's vacation in the year. It has also been stated that these men get up very early in the morning and work all day long without anything to eat. The men on our tugboats in New York Harbor have three square meals a day on their boats, and when some time ago it was suggested that we discontinue our cooks, the crews were unanimous in the request that we continue the cooks so that they might have their breakfast, luncheon, and dinner aboard the boats.

Mr. HARDY. Is that furnished by the company?

Mr. POLLOCK. The captain is the commissary. In other words, there is 50 cents per day deducted from the wages of the men, covering subsistence. They get their three meals a day for 50 cents; and very good meals, too, for I have eaten many of them. That is paid by the captain. The captain acts as commissary, but the company pays for the steward.

It was also stated that the wages are barely sufficient for the men to live. I leave it for you gentlemen to determine. Our maximum wage scale for a captain on a tugboat is \$152 a month, the minimum \$140. In other words, the first year we start a man at \$140, the second year we give him \$146, the third year and thereafter \$152. The engineer is paid a minimum of \$135 and a maximum of \$146, depending largely upon the type of engine.

But the point that I wish to emphasize is that there are not a sufficient number of licensed men—I speak now particularly with reference to the port of New York—to enable the boat owners to crew their boats on an eight-hour working basis, notwithstanding any statement that may have been made to the contrary.

I thank you, gentlemen.

Mr. MORAN. Mr. Chairman, our next speaker will be Mr. W. E. Bernard, representing the Philadelphia and Delaware River boats.

STATEMENT OF MR. W. E. BERNARD, PIER 75, NORTH WHARVES, PHILADELPHIA, PA., REPRESENTING THE VESSEL OWNERS AND CAPTAINS ASSOCIATION, AND INLAND NAVIGATION ON THE DELAWARE RIVER.

Mr. BERNARD. I will particularly say that my remarks will be short, and if the committee will permit, we will present a brief to the committee for consideration, giving our objections in detail. A great many of the protests of those I represent have been already presented to the chairman of the committee and to some members of the committee.

The greatest hardship that this bill will impose is section 4, which is the 56-hours-a-week provision. I will bring to the attention of the committee the hardship that has been spoken of by Capt. Murray; also the hours that a man works in the vocation that he has followed, and I think it is well understood that any vocation, whatever a man may be engaged in, the time he consumes going to and from his place of employment should not in any way be taken into consideration in the number of hours that he is employed. The vessel owner or anyone else having a position has got to go from his home to his work, and when he has finished his work he has got to go home.

Now, in the operation of the single crew, with reference to the accusation made by Capt. Murray that the 13-hour law is being continually violated and that conditions are most deplorable, I will bring to the attention of the committee the conditions that exist on a line of four boats entirely on inland waters. These boats operate on a single crew. Four members on two of the boats, and five members on the other two, operating within the 13 hours, and I propose to give to your committee the average time, and the time employed of those crews for one year, of 313 working days. On no Sunday in the year were these men employed, and in 313 days their gross time from the time they reported on the boat for duty until they were ordered off the boat for one day was 11.39 hours.

You must bear in mind that on inland waters we are controlled entirely by tidal conditions; that is, 5 hours flood tide and 7 hours ebb tide occurring twice in 24 hours. In going into creeks or inland rivers it is necessary for that tow to be operated on the flood tide, taking the advantage of the rising tide to reach the point of destination to which the cargo or boat is to be towed. On their return they come out sufficiently ahead of high water to get back to the point of starting. The distance that you travel with the tide increases of course with the miles that you may run. It is high water, we will say, at Philadelphia at 12 o'clock, and 20 miles from there would give us an hour later high tide. Going with the tide, or ebb tide rather, we meet the flood tide an hour earlier. The winds, of course, control the tide, and sometimes there is not sufficient water to reach the destination. The crew is there and can not get away, and they wait until the next incoming tide to continue their work. In that way there may be a violation of the boat returning to her home. Owing to having no sleeping quarters to take care of the crews, it being entirely a single-crew boat and only for day operation, the most time that is violated over the 13 hours is that coming back to their wharf. There are locker accommodations on the boat that would take care of the men just for the one night, owing to having been caught on the

tide, as we say, or through some stress or misguidance, getting out of the channel, getting ashore, or something like that that would delay the boat.

This statement will show you that the net operating time, actual working time, employed in one boat is 9.11 hours, another 9.27 hours, another 9.4 hours. Now, gentlemen, that is for one entire year, and I think that is proof conclusive to your committee that the men are not being overworked on the inland waters; yet the proponents of this bill ask us to put on another additional crew to operate the boat over the 8 hours.

The operation on inland waters is one of a peculiar nature. We can get licensed officers that can navigate the bay—the upper Delaware and the lower bay—very readily in some instances; but in most instances we have had boats tied up waiting for licensed officers who knew inland operation. These men have to grow up in the service. They really have to go into places where the dew over night will make a channel. Those men have got to learn, and if it was not for nature, during the spring, summer, and early fall and the growing, as we call it, of splatter docks along the banks of the rivers we would not know how to get into some of these places. Of course, where the channel is used, the growth of these splatter docks is cut down. We can not get men to fill these positions, and I speak the honest truth, because in my own employ I have had a boat tied up three and four days a month owing to the sickness of the captain of one of those boats and the inability to secure a licensed man who knew the channels in which we employ our boats.

We have to come under the ban of that 56 hours. The average time I have shown does not exceed 10½ hours a day. We would have to employ eight men to take care of those two boats for 16 hours' work. We could only use that extra crew for four of those hours, because our operation could only be in daylight. After night-fall creeks are not safe places; there are no marks from the Light-house Board to show you anything in these creeks, and it is purely a matter of the men getting to know and learning every little tree and nook from which he can get his bearings. Consequently, we are up against the proposition that we must employ those men, which I know in the port of Philadelphia are not available. We can not get enough. We have to telephone the associations asking for a man, and we can not get them, can not get men that are suitable to navigate those boats, now we are brought in under the ban of this rule, and consequently would have to employ two crews for 16 hours and can not work them over 12 or 14 hours actual work.

Mr. Stiles made a remark that the bill called for 56 hours in 1 week, or not more than 13 hours in a day, with the purpose or intention of working possibly 4 days of 13 hours, which would be 52 hours, leaving 4 more hours to work that week, and having an extra crew to take charge of those boats for the balance of the week. As I have explained to this committee, this is entirely daylight work, and we could not make those changes to correspond with the extra crew, but we must keep that extra crew entirely on pay—if we could get the men for that purpose—and we feel that even though this is enacted, and contradicting the hardships by producing evidence here of the time of employment, that we would be unable to secure the men to fill the positions that would be made.

I thank you.

Mr. GIBSON. I understood you to say, Mr. Bernard, that that was a tabulated list of the working hours on four boats?

Mr. BERNARD. Four inland boats.

Mr. GIBSON. And you are offering it here as evidence in opposition to this bill. Those are not the only four inland boats in the United States sailing on inland waters?

Mr. BERNARD. No; they are not the only four boats sailing on inland waters.

Mr. GIBSON. But you say that that shows conclusively that there is no hardship on any boats. It only shows for those boats—three or four or four or five boats on inland waters?

Mr. BERNARD. I could only tabulate those coming from my daily records. I get a daily record that is compiled by the captain of each tugboat of the time that he arrives for duty in the morning, the service that he performs during the day, and the time that he ties up. The work of other people in the same class of work which I represent on the Delaware River is considerable. We have a great tonnage on the Delaware River in the sand and gravel that is dug from the bottom of the Delaware, and this work is all done under the same conditions and with the same class of boats as these four of which I am giving you the time. I think that the owners of those boats could give you a tabulated statement and it would not exceed the average time which I have given you for those four boats.

Mr. POLLOCK. May I add to my statement that if this bill should be enacted it would require the employment of 112 additional licensed men by the New York Central Railroad Co.?

Mr. MORAN. The next speaker in opposition to the bill will be Mr. Fred B. Dalzell, of New York, representing the New York Harbor towboats.

(The following statement was filed by Mr. Bernard:)

PHILADELPHIA, PA., April 4, 1916.

THE COMMITTEE ON MERCHANT MARINE AND FISHERIES,
Washington, D. C.

GENTLEMEN: In reference to H. R. bill 8036, "To regulate the officering and manning of vessels subject to the inspection laws of the United States," same to amend that section 4463, Revised Statutes of the United States. The present law, Revised Statutes, 4463, was amended by act approved March 3, 1913, and at the time called "the Hardy Act," which made it necessary for the employment of additional licensed deck officers on ocean and coastwise vessels carrying cargo and passengers, as well on coast tugboats, and on the small class of bay tugs operating to and from ports along the coast.

Since this act of March 3, 1913, several conferences have been had between vessel owners and the Steamboat-Inspection Service, also between the Secretary of Commerce, showing their inability to comply with the act, and the department has records of several thousand dollars in fines being imposed for violations, owing to lack of licensed officers to fill the positions; this especially on coast tugboats, owing to lack of proper quarters to suit the licensed officers and inability to do different on this class of boats; and on producing satisfactory evidence to the Secretary of Commerce very nearly all of fines were mitigated, yet at present time we are at times unable to get the licensed officers, still it is the desire of the Marine Engineers Association to still further burden us by asking for the passage of H. R. bill 8036, thereby causing us 100 per cent more trouble, as well the department of Commerce, in the matter of fines for its violation, and we do not feel as if this bill, if enacted into law, will offer any better safety to life and property as the extra licensed officers required by the present law shows; that on coast steamers and tugboats this extra officer is unable to stand a watch at all times, as he is not licensed for the inland waters that the vessel navigates during her trip from port to port, and only serves when navigating on the ocean, conse-

quently is of no material benefit to the master, or to the safe navigation of the vessel, and the present law should be amended so as to relieve owners of the burden and trouble to secure something that does not improve the safety of the crew or vessel in its operation.

The present Revised Statutes, 4463, was further amended by the "seamen's act," effective November 4, 1915, as to requirements for "certificated lifeboat men," and we do not see the necessity for such requirements on coast towing vessels, no more so than on whaling and fishing vessels, as the officers and crew of coast steamers and coast tugboats not carrying passengers are efficient men and better able to man a boat than some of the so-called "certificated lifeboat men," and feel that this class of vessels should be exempted from the present law as well as the proposed legislation.

Section 4 of bill H. R. 8036 applies to the operation of harbor vessels, which at the present time are operating with a single crew under the ruling of the local inspectors, when navigated not more than 13 hours out of the 24 hours in any one day, and the requirements of this section 4 would compel an additional crew on these vessels operating in the harbor, and from experience know that there would not be sufficient licensed officers to fill the positions required, and, owing to the limited quarters for crews, most of the harbor tugs could not furnish accommodation for other than the one operating crew, and, even on such boats that have crew accommodations, a crew off duty would not be willing to remain on board while the boat is in operation, consequently would not be available when the 8 hours of the operating crew was up, and on such boats that are operating 24 hours in a day it would be necessary to employ three crews, according to the requirements of this bill, thereby increasing the demand for licensed officers, which in the present condition it is impossible to secure, and if this bill is enacted into law you can readily see the increased cost of port charges for all vessels coming into this and other ports.

We have refrained in our objections so far to say anything as to the increased cost of operation if this bill is passed, as you can readily see that same would be considerable, and the only return we can expect to reimburse owners would be to tax the public for the extra costs, and admit this a much easier proposition than that of securing the licensed officers to fill the positions required, as well as to get proper quarters to satisfactorily house the men, and feel that this bill H. R. 8036 should not pass in its present form, and should be so amended not to include coastwise cargo-carrying vessels, or coast towing vessels, or bay towboats, as to the additional licensed deck or engineer officers, and that section 4, page 5, lines 20 to 24, inclusive, and page 6, lines 1 to 16, inclusive, be entirely eliminated. We consider this the best solution, and ask your committee to so consider, thereby rendering a valuable public service, as well as relieving an unnecessary burden from the merchant marine and the general towing interests of the entire United States.

We remain, very truly, yours,

THE NATIONAL BOARD OF STEAM NAVIGATION,
By N. L. CULLIN, *Secretary-Treasurer*.
W. G. BERNARD, *Chairman Legislative Committee*.

STATEMENT OF MR. FRED B. DALZELL, NEW YORK CITY, N. Y., REPRESENTING THE NEW YORK HARBOR TUG- BOATS.

MR. DALZELL. Mr. Chairman and gentlemen of the committee, the ground has been fairly well covered by previous speakers, and I think perhaps I could best tell you how the individual tug owners, so called, in New York, operate their boats. To save time I will confine myself to the manner of carrying on the business of an individual towing concern, so called, and ours is only one of many doing a similar business.

We operate at present 10 harbor tugs, doing a general towing business confined to the harbor only. We operate under a law commonly known as the 13-hour law. To use a homely expression, our business is like unto that of a livery or garage business. Clients employ us when they need our services, and only then. When not employed, our crews get plenty of rest, good food, and much opportunity to read the daily papers. If we are unfortunate enough not to

be employed during the 13 hours, our tugs are laid up for the night, the officers go to their city homes and rest for the night. When Sunday comes, if we have no orders for work, our tugs are laid up for the day and the crews' pay goes on just the same. Let me say at this point, however, that since the European trouble we have not had much daytime unemployed, owing to the great amount of commerce coming to this port and the great congestion existing in this harbor.

We operate on the tides. The tide rises and falls twice in each 24 hours. During the summer months we can operate on two high waters. During the winter months only one. For example, when it is high water at 6.30 a. m., we can assist a steamer drawing 30 feet of water from her berth to the stream on that tide. When this operation is finished, our tugs come to the pier and lay sometimes three or four hours doing nothing until we are given another operation to perform. If the day is sufficiently long to permit of daylight, we can again perform a similar operation at 7 p. m.; then we are finished for the night. If the day is short, we can only perform a service at the high water. We can never foretell at what part of the harbor our tugs will be at a given time, because they have no fixed steady employment.

Let us assume, then, that House bill 8036 is enacted into law. Our licensed officers would have to change watches once within the 13 hours—one set of officers would work 8 hours, while the others would work 5 hours—but the unlicensed men would be required to work 13 hours. This they positively would not do, and we should be put out of business.

Our tugs are so constructed that they have no accommodations for more men than are required for the 13 hours' service. The question then arises, Where are the officers to change watches, and when? Our 10 tugs being engaged at various points in the harbor, with no possible chance of their being at a given point at a given time when they are in the act of operating.

The extra cost of these additional men we will not consider, for the reason that we could increase our rates to cover the extra cost to us; then, in turn, the vessel owner must increase his rate for carrying the necessities of life, which cost must be added to the commodity and in the end you know who pays the bill.

If I have made myself understood, I would consider these reasons which I have presented alone would be sufficient to show you the impracticability of the operation of this law as applied to the kind of business to which I have referred, but the great and most important obstacle is where are we to get the additional men. In our small fleet alone we would require 30 extra licensed men, masters, mates, and engineers, and there are approximately 600 tugs in New York Harbor. The men do not exist.

I wish you could see, and be with us as an employer, some of the licensed mates to whom we have to intrust the lives of others, as well as our valuable property. You would wonder how they are ever granted licenses by any Federal officer. The average New York harbor tugboat master is a most scientific man indeed, and I do not know of a master who possesses the necessary qualifications for the kind of services required of them who is out of employment to-day at this

port. If this statement is true, I hope that you will not consider this bill worthy of being advanced to the floor.

I did not think when we came here that it would be necessary to tell any personal or private experiences, but the wonderful plea of Capt. Murray about his doing so much work that he would become dizzy headed almost makes me feel sorry that, if it is true, I am a party to the employment of 56 or 60 men, and that I am the cause of them getting dizzy headed from the result of work. I know they often get dizzyheaded from other causes and sources, but not from overwork.

He speaks of the fear the men have of complaining to their employers about long hours. I did not know until to-day that such a fear existed on both sides, because we are in mortal fear of ever reporting one of our masters for inadvertence upon his part for the reason that if we do we do not know where to get another. For instance, one of my captains, the last day of this past month, when I increased the wages of these men—masters from \$125 a month and their board to \$135 and their board, which adding the board which we pay makes \$150 a month—that afternoon after we gave this increase the boat was on the way to the place to lay up for the night at 6 o'clock. For some reason unknown to the employer, the mate was not on board, the cook announced supper was ready as the boat was approaching her dock. Five minutes more and the captain would have steered his boat in the dock and tied her up, but on the announcement that supper was ready, he went to the galley for his meal, leaving the tug in charge of an incompetent deck hand, and she ran into the stern of a barge and did \$700 worth of damage. The tug was in the control of an incompetent deck hand, when the mate should have been there, or the captain at least should have stayed at the wheel.

We could tell many experiences of hardship, but they are not from the masters' standpoint; they are from the owners', and we dare not report it, because we do not know where to get another man to take his place.

I will make this statement now to Mr. Stiles and Capt. Murray, that if they have two competent captains for the kind of boats I operate and they will send them to my office to-morrow I will employ two of them.

Mr. MURRAY. Mr. Dalzell, you lay some stress on the fact that it would be impossible to have those crews relieved, due to the fact that the boats are never at any given point at a certain time. Is it not a fact that the provision as drawn up in section 4 of this bill provides 56 hours a week, and does not hold a man down to a strict 8-hour day? That was our reason for incorporating that part in there to give that chance. Could you not work your boat that way, and then give the men the balance of the week in order to recuperate, as is the intention of this bill?

Mr. DALZELL. I understand the object of this bill is to prevent just such trouble as you had, namely, by overworking a man you make him dizzy headed. Mr. Stiles's argument is that you can let one crew work 12, 13, or 14 hours, and then let them lay off two days. I tell you that the more time you give a man off the more mischief he gets into, and the less competent he is to resume his work when the time comes.

Mr. MURRAY. I object to the misstatement of Mr. Dalzell.

Mr. BURKE. You will have an opportunity of answering when your time comes. We do not want any argument now.

Mr. MORAN. The next gentleman who will speak in opposition to the bill is Mr. E. A. Burnsidess, Point Pleasant, W. Va., representing the western and southern steamboat interests.

STATEMENT OF MR. E. A. BURNSIDES, OF POINT PLEASANT, W. VA., REPRESENTING THE WESTERN AND SOUTHERN STEAMBOAT INTERESTS.

Mr. BURNSIDES. Mr. Chairman and gentlemen of this committee, I listened with a good deal of astonishment to the horrible tale of conditions recited by Capt. Murray in New York Harbor. My business is on the western rivers and we have no such conditions there at all. Our men get their regular wages. We stand 6-hour watches with double crews.

I, like Capt. Murray, went on the river when I was a boy about 15 years old, and I have been at it ever since. I have stood long hours. After I got my license as master and pilot I stood often for 18 to 24 hours a day, and I did it voluntarily. On our boats we carry double crews. Those crews stand 6-hour watches.

In our particular service we assemble our tows at the mouth of the Kanawha River, which empties into the Ohio at Point Pleasant, W. Va. While we are assembling our tows the officers off duty have time to go home, if they live in that vicinity. If they live away, of course they can not go home. When the boat is cleaning boilers when they are off duty, they can go home then, or they can get that time for recuperation.

Our boats are built with limited cabin or crew quarters to accommodate just the two crews. When our boats were built, we thought we would add an additional room in the cabin for the benefit of the owners. At the present time the owners' room is occupied by the crews, too. Now, they add to our crews when the sleeping quarters are already all taken up, both forward and aft.

I got my license as pilot and master a day or so after I was 21 years old, and I have been employed ever since. I have not lost a day. In our particular company our officers were all trained, with one exception, from young men up. We put them on our boats as boys, and we have made pilots, mates, and engineers of those men, and those men are in command of our boats at the present time. It is just the same way with the men in our mines.

Our wages in some instances run more than the wages in New York Harbor; some run less. We pay some of our men by the year, especially the principal officers, the captains, mates, and chief engineers. The other men get work on an average about nine months in a year.

We have in our section of the country a great many small boats, small towboats and packet boats, operated in daylight only, and the business conditions are such that they can not stand the hardship and expense of additional crews. If this bill is enacted into a law, it means that they must go out of business. Talking with the captain of one of those towboats the other day, he told me if he had to put on two crews he would have to go to the bank and tie his boat up, that he could not stand the expense, because his particular boat and

the others in that section were not making enough money to pay the extra crews.

In our business, also, the principal part of our business is mining coal, and we transfer it in our own ships. We have a great many miners in our employ who have been there 15, 20, and 30 years, and I will say this, we have very little trouble with our men anywhere.

I have in my hand a petition signed by quite a number of our western river men, those in our locality, which I would like to present to this committee to be read later on by them when they are in executive session. This was signed voluntarily by those men. As soon as they had heard of a petition being up, they came in and asked to sign it. They heard something about this bill in some way.

Mr. BURKE. One question. You mean the men on your boats or the men employed in your mines?

Mr. BURNSIDES. The men employed on our steamboats and the men employed on the steamboats of other owners. The miners had nothing whatever to do with it. I just brought that in to show—

Mr. VAN DYKE. Who drew up the petition?

Mr. BURNSIDES. I drew it up.

Mr. VAN DYKE. And it was in your office when it was signed?

Mr. BURNSIDES. Oh, no; it was taken by the men around among themselves.

Mr. VAN DYKE. But you drew up the petition yourself?

Mr. BURNSIDES. Yes, sir; with some certain additions and amendments added by the men.

Our men have no particular hard hours. Our boats often lay up for a fog, high winds, or other delays incidental to towboating. While they may be on duty, there is no hard work attached to it. Our boats are in operation from 9 to 10 months in the year. There has never been any question at all about wages among our crews. We have voluntarily advanced the wages of our men from time to time, as we felt they were qualified to get it and qualified to do the work.

Mr. BURKE. How many such men do you employ on your boats?

Mr. BURNSIDES. Of officers, we carry 2 pilots, 2 mates—or, rather, a mate and a watchman who is as good as a mate—2 engineers. In the deck crew we carry 4 firemen and 10 deck hands.

Mr. BURKE. How many such boats do you operate?

Mr. BURNSIDES. We operate three such boats. We also carry an additional man whom we call a cub pilot, a striker, a young fellow who is on the boat to learn. We carry in the engineer room a striker engineer, who is also on the boat to learn. We turn out a new engineer and a new pilot about every three years. As soon as one gets a license, we give him a place, and if we can not give him a place he goes out and gets a place with some other company.

Mr. VAN DYKE. Do the cub pilots draw wages?

Mr. BURNSIDES. Yes, sir; they get a dollar a day from the day they go on the boat.

Mr. MORAN. And board.

Mr. BURNSIDES. Oh, yes, and board. We feed all of our men. We have a cook house, and it is well patronized. On the towboats the men get their three square meals a day. They get lunches at 9 in the morning, 4 in the afternoon, and at midnight.

I wish particularly to interest this committee in the condition of the smaller boats, the small towboats and the small packet boats which will be put out of business. These men were not advised in time, and therefore they are not represented. I am acquainted with a great many, and I am speaking on their behalf because they are not here. I know, as a fact, that most of those fellows will be put out of business, the boats will be put to the bank, and they will have no recourse, because there will be no sale for the boats, and they will lose their property.

In our particular district we have not enough competent qualified licensed officers to put on three crews. I mean by that men who are trained and experienced in our particular line of work. I tried to get from the inspector's office before I left a list of all the licensed men in our district, but they did not know just where the men lived, and therefore they could not tell me just how many men we represent in our particular district; but the inspector himself—one of them—told me that there were not enough qualified men in the district to put on three crews; that is, competent men whom I would want to put in charge of our boats, either in the pilot house or the engine room.

MR. GIBSON. May I ask a question? I understood you to say that if this law becomes operative, or if this bill becomes enacted into law, it will put the boats on the banks and tie them up?

MR. BURNSIDES. Quite a number of them; yes, sir.

MR. GIBSON. Can you tell me whether there are any boats in your locality doing any more than paying expenses—evidently you are all poverty-stricken down there?

MR. BURNSIDES. Oh, no; not quite, sir.

MR. GIBSON. I have not known of a boat in the United States that is paying expenses. If there is, I would like to know it. Another statement you just made in closing was that you went to the office of the inspectors and they told you there were not enough qualified men to fill these positions?

MR. BURNSIDES. Yes, sir.

MR. GIBSON. Engineers or others?

MR. BURNSIDES. Yes, sir.

MR. GIBSON. I want to make note of that particularly. Undoubtedly these same inspectors have issued certificates to these men, and if these engineers are not qualified to hold these licenses certifying that they can operate all these kinds of boats, those inspectors had no business to give them a license.

MR. BURNSIDES. They were licensed as engineers, but they have not the special training that is required on towboats.

MR. GIBSON. An engineer is an engineer, is he not?

MR. BURNSIDES. Oh, no.

MR. BURKE. Oh, we do not want any debating. A question and a debate are something different.

MR. BURNSIDES. A packet pilot and a packet engineer is one thing and a towboat pilot and a towboat engineer is different from the packet. They may both be qualified, but they have to have different training and one can not do the other's work.

MR. MORAN. The next speaker will be Mr. Howard Higgins, of the Dominion Steamboat Co., speaking for the coastwise interests.

**STATEMENT OF MR. HOWARD HIGGINS, REPRESENTING THE
OLD DOMINION STEAMBOAT CO. AND THE AMERICAN
STEAMSHIP ASSOCIATION, 17 BATTERY PLACE, NEW YORK
CITY.**

Mr. HIGGINS. The previous speakers have covered this subject so thoroughly and so fully that I will ask the privilege of submitting a brief covering our objections more in detail, if that is agreeable to the committee.

I would, however, like to say a few words in connection with the way steamboats are operated in other countries, which may throw some light on the statement of Mr. Gibson about Capt. Dollar. Capt. Dollar is not here—I wish he was, he could answer for himself—but there must be some good reason why Capt. Dollar when the war is over will again place his ships under the English flag.

There is one subject at present that practically all agree on, that is the subject of a merchant marine. We have our different views as to preparedness and tariff and everything else, but we are practically all agreed as to the merchant marine. We need a merchant marine. There is no argument, no question about that. When one is seeking success in a certain line of endeavor, the logical and the first thing to do is to hunt up somebody who has been successful in that line and to study their methods. Great Britain has been, without doubt, more successful on the sea than any other nation. She has twice the sea tonnage of any other country. The position of the British nation to-day is a proof that she has been successful with her merchant marine. Had she not had a merchant marine, she might not be on the map now.

I am not familiar with the question of deck officers and pilots and all that sort of thing, so I won't attempt to talk on that subject, but I do know a little about the marine engineer. I am one myself, or have been. It may surprise you gentlemen to hear that Great Britain operates here entire merchant marine with but two grades of licenses. The British Board of Trade only recognizes three grades, one of which is honorary, and two compulsory. In our service, under the rules and regulations of the United States Steamboat-Inspection Service, we have 16 different grades of engineers that are necessary to operate a service which, compared to Great Britain, is a very small affair.

On a vessel of 100 gross tons or over, navigated on routes of 24 hours or more, three licensed engineers are called for, irrespective of the size of the engines or the power; provided the vessel is of any size, if she goes to sea for 24 hours, she must have three men. The *Mauretania*, of the Cunard Line, a ship of over 30,000 tons and 70,000 indicated horsepower, can legally operate with two licensed engineers. All the British Board of Trade says that ship must have is two men. Now, we are asked on a vessel of 100 tons to put three. The bill on a vessel of 1,000 tons or over calls for four licensed engineers: that is irrespective of horsepower, irrespective of the amount of machinery, irrespective of her service—just so she is 1,000 tons. Now, she must have four licensed engineers, if she is in the coastwise ocean service.

The *Olympic*, gentlemen, the largest vessel afloat—46,000 tons gross register, 50,000 horsepower—can legally operate under the laws of the British Government with two men. On a vessel of 1,000 tons we are supposed to have four. Is there any wonder that Great Britain

has been successful? Is there any wonder that she has the greatest and biggest merchant marine in the world? If we want a merchant marine—if that is the thing we ought to have; if it is a good thing for us—is this the way to get it? Did Great Britain get her merchant marine by laws of this nature? Will we get one by laws of this nature? It seems to me, gentlemen, that is a question for Congress to decide.

I thank you.

Mr. GIBSON. Mr. Chairman, I will try to confine myself to a question. I would like to ask Mr. Higgins a question. You are superintendent of the Old Dominion Line?

Mr. HIGGINS. Yes, sir.

Mr. GIBSON. How many engineers do you carry on your vessels?

Mr. HIGGINS. It depends entirely upon the vessel and the service it is in.

Mr. GIBSON. The smallest vessels.

Mr. HIGGINS. One on the smallest vessels.

Mr. GIBSON. That is a towboat?

Mr. HIGGINS. No; we have one freight and passenger vessel that only has one engineer.

Mr. GIBSON. How long a run is that vessel engaged in?

Mr. HIGGINS. She is engaged in a run of about 13 miles.

Mr. GIBSON. A pretty busy job?

Mr. HIGGINS. Not a busy job at all.

Mr. GIBSON. One more question, Mr. Higgins. Do you approve of allowing foreign vessels coastwise privileges?

Mr. HIGGINS. That is a question for Congress to decide. That is entirely too big a question for me to handle.

Mr. GIBSON. You were an engineer at one time in the Morgan Line?

Mr. HIGGINS. Yes, sir; I had that honor.

Mr. GIBSON. How many engineers did you carry on each vessel at that time?

Mr. HIGGINS. I should say, engineers, about five or six.

Mr. GIBSON. Take one of the biggest vessels?

Mr. HIGGINS. On one of the biggest ones we had 19 engineers, 4 of whom had to be licensed. As a matter of fact, we had 16 licensed engineers; if I am not mistaken. That is 25 years ago now, and my memory might be a little hazy.

Mr. GIBSON. That is all I want; just roughly.

Mr. HIGGINS. And that ship under the English flag could operate with two engineers.

Mr. GIBSON. How many did it operate with under the British flag?

Mr. HIGGINS. She wasn't under the British flag.

Mr. GIBSON. Take the *New York* or the *Paris*.

Mr. HIGGINS. Why, they have different ship requirements.

Mr. GIBSON. I know; but you are not answering my question. How many did they carry under the British flag? Is it not a fact that they carried 15?

Mr. HIGGINS. Under the British flag, I could not say.

Mr. GIBSON. I was told so by the engineer on it. You say that the *Mauretania* can legally operate with two engineers, which is quite right, probably. Their certificate calls for two engineers. Do you know how many engineers the *Mauretania* carries?

Mr. HIGGINS. I do not. I am just simply talking about the law. I am talking about what the British Government compels these ships to have.

Mr. GIBSON. Do you know how many the *Titanic* had when she was lost?

Mr. HIGGINS. When the *Titanic* went down there were supposed to be 21 engineers. How many they were carrying I have no means of knowing.

Mr. GIBSON. She carried 36, according to the statement of William Alden Smith, United States Senator from Michigan.

Mr. HIGGINS. I do not know how many she carried.

Mr. GIBSON. You brought out the point that they were only compelled to carry two engineers?

Mr. HIGGINS. I brought out the point that the British Government requires that ships only carry two men. Am I correct in my statement?

Mr. GIBSON. That is the number of certificated men.

Mr. HIGGINS. Yes, sir; the British Government did not compel the *Mauretania* or the *Titanic* to have more than two licensed men on their ship.

Mr. GIBSON. Would you sail on the *Mauretania* with only two licensed men?

Mr. HIGGINS. Mr. Chairman——

Mr. GIBSON. I will sit down, Mr. Chairman. I see the question is not answered.

Mr. MORAN. The next speaker in opposition to the bill will be Mr. J. B. Francis, representing the Ohio River steamboat interests.

STATEMENT OF MR. J. B. FRANCIS, REPRESENTING THE OHIO RIVER STEAMBOAT INTERESTS AND THE KANAWHA RIVER IMPROVEMENT ASSOCIATION.

Mr. FRANCIS. I am a member of the committee representing the Kanawha River Improvement Association, and represent individually the Iron Creek Fuel Co., operating river boats between Huntington, W. Va., and Cincinnati, Ohio.

Mr. Burnside has very fully covered our situation. We are operating under similar conditions. Our individual company is operating towboats exclusively, carrying tows and barges from Huntington to Cincinnati and intermediate points. The members of our association are engaged not only in towboat shipments, but in general packet lines, passenger boats on the Ohio River, and general freight boats on the Ohio River. Some of these boats run night lines between the Kanawha River and Cincinnati, tie up during the day, and go back the next night. Our boats running from Huntington to Cincinnati for the return trip require about five days. They are operated practically continuously for 10 months. The locks on the river are not sufficient to give a continuous stage.

We pay our pilots and captains from \$135 to \$150 a month and their board while they are on the boats; that is, continuously while the boats are in operation. The engineers receive about \$125 to \$140 a month. We grade them according to the kind of men we get.

We only carry two crews. They have six-hour watches each—six hours on and six hours off. Our boats were only built for two crews;

we have not cabin room for any more than the ones we carry now in addition to the licensed men. Of course, we carry the usual complement of deck hands, roustabouts, etc. We have kitchens and dining rooms where the men are served their regular meals three times a day, daymen and nightmen.

We can not operate those boats on the 13-hour-a-day system and change crews, because we do not know where we will be at any time. We start down the river from Huntington and when we get to Cincinnati we leave our tow there and maybe we wait three or four hours, and come back, or maybe we wait a day or two before coming back. That crew has to be continuously on the boat. The boats operating from Pittsburgh to Cincinnati on the Ohio River require about 10 days for the round trip. If we have to operate on a 56-hour-a-week schedule, we would have to at all times carry two idle crews, and we will have to rebuild our boats. It will mean that there are two crews there with nothing to do.

The trip from Pittsburgh to New Orleans, operated by boats of the same character, requires from 30 to 40 days for the round trip. There is no place for these men to get off and wait; to work 56 hours and lay off 3 days out of the week or 2 days out of the week. They can not visit their families; they have to stay with the boat, and it means that they are idle on the boat for that length of time.

Our Government is spending a great amount of money improving the Ohio River and its tributaries: that is a good thing. It gives us a chance to compete with the railroads on the river. It gives us all the year round work for our boats.

The work on our boats, of the engineers and pilots and the captains, is no more strenuous than work on a railroad as engineer, conductor, or fireman, and they are allowed, if they so desire, to work 16 hours a day and 10 hours off. Our men work no longer than they do. We have a hard time competing with the railroad companies under present conditions, and if we are compelled to carry another crew, while we can compete probably, the business will not be as attractive.

Naturally, if we have to put three crews on, we can not pay our licensed men as much as we pay them to-day. We do not think our men want this. We think they would rather earn a larger wage and have the benefit of the use of their time as they see fit; and while they are on the boat most of them would just as soon be working as sitting idly by waiting for their watch to come.

Mr. VAN DYKE. I want to ask this gentleman who compared his workmen with those on the trains, the engineers and trainmen: You know the regulations relative to the engineers and trainmen, and so on, as to their standard workday—five hours or 100 miles for engineers and 155 miles for trainmen?

Mr. FRANCIS. Yes.

Mr. VAN DYKE. Your interest in this bill would only be confined in so far as the inland rivers are concerned, is it not?

Mr. FRANCIS. Inland rivers; that is all.

Mr. KINCHELOE. Is it not a fact that practically all of the boat lines on rivers, whether they are towboats or passenger boats, or passenger and freight boats combined, have a certain starting point and a certain termination?

Mr. FRANCIS. Yes.

Mr. KINCHELOE. For instance, your boat runs from Huntington, W. Va.—

Mr. FRANCIS. To Cincinnati.

Mr. KINCHELOE. Is it not a fact that you carry all your crew on those boats?

Mr. FRANCIS. We do.

Mr. KINCHELOE. Is it not a fact that one of your boats may land in Cincinnati this morning, and may not leave there until to-morrow night?

Mr. FRANCIS. Yes, sir; that is true.

Mr. KINCHELOE. The time of leaving might be indefinite?

Mr. FRANCIS. That is true.

Mr. KINCHELOE. Is it not a fact that they are doing nothing at that time?

Mr. FRANCIS. That is true.

Mr. KINCHELOE. And if this law passed and it applied to river boats, you would have to provide additional room for another crew?

Mr. FRANCIS. We certainly would.

Mr. KINCHELOE. And would you not have to keep two idle crews on there all the time?

Mr. FRANCIS. At all times; yes, sir. Last week, I might explain, the river was up to flood stage on the Ohio. We had a boat at Huntington, and the river was so high we could not navigate safely with the tow, and we were tied up there for five days. The same situation was true at Cincinnati. That happens frequently. When storms come up or ice is on the river and it is not safe to operate them, we tie up to the bank wherever we happen to be.

Mr. KINCHELOE. And they only work in 8-hour shifts?

Mr. FRANCIS. Six-hour shifts.

Mr. KINCHELOE. Some do in eight.

Mr. FRANCIS. Ours work six.

Mr. MORAN. The next speaker is Mr. George H. Wooley, representing the Boston towboat interests as well as the coastwise interests.

**STATEMENT OF MR. GEORGE WOOLEY, OF BOSTON, MASS.,
REPRESENTING THE BOSTON TOWBOAT INTERESTS AND
THE COASTWISE INTERESTS.**

Mr. WOOLEY. I do not know that I can add anything to what the previous speakers representing the towing interests have said in opposition to the bill.

Our business in Boston for harbor boats is peculiar, while it resembles Philadelphia in a great measure, where we have to work on the tides and also have bridges to contend with, several of the bridges having closed hours from 6.15 in the morning until 9.15. The tide starts in the vicinity of 6 o'clock in the morning. We have to go to work at half past 4, and then back down through before the bridge is closed, and the boat goes back to the pier and lies idle until the next job comes along—sometimes a period of several hours.

At other times they are working fairly continuously during the day. This work does not average over 11 hours. Sunday work is eliminated as much as possible. I think in the total number of boats operated in Boston Harbor it is safe to say that 80 per cent of them are tied up on Sunday and on holidays and a portion of the day. It

has been the custom of our company and other companies to give the men Saturday afternoons as far as possible, consistent with the work. The men are paid a monthly wage, besides working on a commission basis. They average around \$125 a month and board, which is furnished by the owners.

There is a scarcity of competent towboat men, as one of the previous speakers said. A towboat captain is one of the most skillful men there is in the marine business, and the majority of the harbor tugs already carry two licensed deck officers, a captain, and a licensed mate and pilot. The licensed mate and pilot is qualified to do certain things, but his qualifications are limited. While he holds a license, a license does not make a man any more than a coat makes a man. He is not fit to do the general handling of the boat, or anything more than light work. There are positions for men, competent men, as soon as they receive their licenses and show that they are qualified to become masters. But even operating, as one of the speakers, Mr. Stiles, suggested, for 13 hours a day until the 56 hours are up, it would then be almost impossible to secure men and keep them on board simply to work the other two days.

As I said, the previous speakers have covered the ground. The towing interests are almost identical in the different ports, with the exception of the detail of bridge work. In my estimation it would be practically an impossibility to secure competent licensed men to operate boats on any different basis than they are now, and that is 13 hours a day.

I thank you.

Mr. MORAN. Our next speaker, Mr. Chairman, is Mr. F. A. Bishop, of New York, representing the passenger steamboat lines.

**STATEMENT OF MR. FREDERICK A. BISHOP, OF NEW YORK,
N. Y., PRESIDENT OF THE IRON STEAMBOAT CO.**

Mr. BISHOP. I will confine my remarks, Mr. Chairman and gentlemen, to section 4, relative to requiring the summer excursion steamers to carry two sets of crews: that is what it would mean.

The Iron Steamboat Co. operates summer excursion steamers from the latter part of May until about Labor Day, or a week after Labor Day. Our schedule between Rockaway and Coney Island takes about 12 hours. We have in the pilot house a captain, pilot, and a quartermaster. They work in shifts, taking the boat from point to point; and while they are all on the boat for 12 hours, none of them perform 12 hours work.

We have in our engine room a licensed assistant as well as a licensed engineer, and these men work in alternate shifts. Our firemen work in the same way. We employ five licensed officers on each boat. We have 8 boats, and that means we would have to get 40 additional licensed men.

Our boats are beam engines, or sidewheelers, and it would be utterly impossible for us to get the men in New York Harbor to operate the boats. When this bill was brought to my attention, knowing that our men had been with us for many years, and that I have never received any complaint from anybody of being overworked, after consulting with some of my fellow officers, and, I might say, against their wishes, I determined to ascertain for my own

satisfaction whether or not the licensed men in the employ of the Iron Steamboat Co. were in favor of this bill or not. Therefore, on the 14th of March, I addressed a letter to the superintendent of the company, calling attention to the fact that this bill had been introduced by Judge Alexander on January 6, and quoting section 4 of that bill, closed my communication to him by saying:

It is my desire to ascertain at the earliest opportunity whether the licensed officers in the employ of the company are satisfied with existing conditions, or whether they are in favor of this bill being enacted into law. You will therefore please take up the matter with them and report to me in writing the number of captains, engineers, mates, etc., spoken to, and the number of each grade in favor or against the bill. Kindly omit names from your report.

Under date of the 27th of March I received a letter from Supt. Wright, in reply to my request of the 14th, as follows:

I beg to advise you I have spoken to one captain, six engineers, two assistant engineers, and eight mates in our employ, and find they all are satisfied with present conditions, and do not think that boats such as we operate should come under the provisions of this bill.

I will say the reason I addressed that communication to the superintendent is that at our Edgewater shops we are overhauling our boats, and the licensed men employed there come in contact with the superintendent.

After receiving his reply and finding there were no men at Edgewater who were dissatisfied, I addressed a communication, under date of March 27, to 23 of the other captains, pilots, etc., who were in the company's employ last season, with this closing paragraph:

It is my desire to ascertain at the earliest opportunity whether the licensed officers in the employ of our company are satisfied with present existing conditions, or whether they are in favor of this bill being enacted into law. You will, therefore, please fill in the inclosed blank and return same to me in the stamped envelope.

I got a form up: Your full name; your address; your present position; the number of years you have been employed; when you first entered the service of the company, and in what capacity. On the bottom of that form sent to those captains, mates, etc., it states:

If, for any reason, you do not care to express an opinion about this bill, do not hesitate to so state, as my only desire is to ascertain whether or not you think this bill should apply to our boats.

Two only were in favor of the bill, both pilots, one of whom had been in our employ for two seasons and the other had been in our employ on and off for six seasons.

Against the bill were 1 superintendent, 26 years' service; 8 captains, 1 of 17, 1 of 20, 1 of 21, 1 of 28, 1 of 30, 1 of 32, 1 of 33, and 1 of 34 years' service; 8 engineers, 1 of 6, 1 of 7, 1 of 21, 1 of 22, 1 of 23, 1 of 24, 1 of 25, and 1 of 35 years' service; 7 mates, all of whom have been in the company's employ from 9 to 33 years; and 3 pilots, 1 of 3, 1 of 7, and 1 of 21 years' service.

Our captains have gone up from the deck, our engineers have gone up from the fireroom.

It is very evident the employees of the Iron Steamboat Co. have not got "dizzy in the head," or, if they had, they would have come to me and told me about it; and I do not see any reason, gentlemen, why a bill of this kind should be made to apply to boats in summer excursion season—passenger boats or anything of that kind.

Our season is about 110 days, and our captains, engineers, and assistant engineers are on the pay roll for six full months. Last year we were tied up 30 per cent of the time on account of weather conditions. We pay our captains \$175 a month for six months, engineers \$125 for six months, assistant engineers \$90 for six months, and they work 110 days and get three square meals a day as well as a lunch after they tie up at night. We pay our mates \$60 a month and keep them on for 12 months, and they act as roustabouts during the time we are not in operation. So I think there is one set of licensed officers in New York City that are not complaining about their condition and who are not in favor of the bill.

**STATEMENT OF MR. H. R. ODELL, JR., OF NEWBURGH, N. Y.,
REPRESENTING THE CENTRAL HUDSON STEAMBOAT CO.,
OF NEWBURGH, N. Y.**

Mr. ODELL. Mr. Chairman, I represent the Central Hudson Steamboat Co. We run a passenger and freight service between New York and Poughkeepsie and Kingston—a night service and some trips in the daytime, as well as a day freight and passenger service between Newburgh and Albany. We operate five boats on the New York line and two on the Albany line.

On some of our steamers we have a master, who is a pilot, and two pilots; while on other boats we have a master and one pilot. Our longest run, the New York run, is 90 miles. Our steamers could make that run in less than seven hours if they went right straight through, but we make several landings where we put on and unload freight, so that the time consumed in that run varies from 10 to 15 hours sometimes.

In order to comply with this law, we would be compelled to put on additional officers, who would simply stay in the pilot house while we were laying at the docks, or stay in the engine room. As I understand it, a steamer is navigating from the time she starts from the initial point to the time she gets to her destination. You are not allowed to deduct the time you are laying at the dock. Fully half of our time is at the docks, and I do not see why we should be compelled to put on additional crews, who would be supposed to navigate the boats; but, owing to our business, the boats are not being navigated.

Another thing, our captains stand watch. According to this law they would not be able to do that, because the captain or master of a boat, it seems to me ought to be around all the time. Now, according to this law, we would be compelled to have three captains. Their ship's papers have to be made out in the name of a master. It would have to be made out in the name of one of these men. I do not know whether we can work that or not. I do not see how it could be done.

We also select our captains from our crews, for their ability to handle the boats properly, how to land them, to run them through in thick weather, and I do not know that we have got double the number of men in our employ, or whom I could pick up, that I would be willing to put in charge as captains, or second captains, or third captains on these different steamers. I think it is practically impossible to find the number of men necessary to comply with this law.

I have a little record here of the time of the operation on our Albany boats through the month of November. The total time consumed on the run for one day as an average through the month was 10 hours and 55 minutes. Her running time was 7 hours and 53 minutes, and the time spent when she was not running was 3 hours and 1 minute. That was making 26 landings on that run. As to the other boat, the time consumed was 12 hours, average running time was 9 hours and 13 minutes, and the time consumed at landings averaged 2 hours and 52 minutes.

It would be necessary for us to put another pilot on those boats. The work certainly is not too hard for them, but to comply with this law we would have to put another pilot on each one of those boats and relieve the captain of standing his trick. Whether we would have to put another captain on I do not know, but it certainly looks that way to me. While we have the room on the boats, every room we have for the crew cuts down on our earning capacity.

We feed our men. We serve them four meals a day, three meals during the day and a midnight lunch. We have had no complaint about the hours that our men work. They sleep on the boat. A good many of them have homes away up the river from there, and even when they are laying there a day they do not go home; they stay on the boat.

It is bad policy, it seems to me, to have two full crews sitting around on that boat doing nothing. At the present time, on the boats where we have two pilots, those two pilots are in the pilot house all the time while the boat is running. We therefore have two men competent to handle that boat in the pilot house. If this bill passes, probably we would have only one pilot and a quartermaster. The other pilot we would have to put to bed or something.

It is the same thing with the engineers. Our two engineers are on duty there in the furnace room, and we consider that our boats are better handled and more safely handled at the present time than they would be if we had only one licensed officer and one unlicensed officer there.

Mr. MORAN. The next speaker in opposition will be Mr. James C. Gorman, of Baltimore, Md., representing the Atlantic Transport Co.

**STATEMENT OF MR. JAMES C. GORMAN, OF BALTIMORE, MD.,
REPRESENTING THE ATLANTIC TRANSPORT CO., DOING A
TOWAGE AND LIGHTERAGE BUSINESS.**

Mr. GORMAN. Anything that I shall have to say, Mr. Chairman, will dwell entirely upon section 4, since our business in the towboat line is only for harbor work.

As I read the bill, it is a proposition for an eight-hour-a-day service, and although it refers to licensed officers, unquestionably it carries with it the entire crew. You can not expect an unlicensed man to work a greater number of hours than a licensed man.

It occurs to me that the word "watch" in this article as applied to harbor boats is a misnomer. A watch presumably is a continuous service, and I submit there is no such thing in harbor work as a continuous service. Harbor boats are employed for the work which they may have to do, as orders come in from time to time, and consequently there are periods in the day when these boats are unem-

ployed; that is, they are made fast to the dock awaiting an order from their owners for some specific service. Such being the case, a watch is not continuous, because the men on the boat are presumably, and I think I can say actually, doing nothing during the time that the boat is fast to the dock.

Now, in our particular business—and I can only be expected to speak on that—it is the towage of lighters and car floats about the harbor of Baltimore for the Pennsylvania Railroad Co., and very occasionally for the Baltimore & Ohio. The other work that the boats do is of an individual character for individual clients as they may come to us. But out of this whole work I would imagine that 70 per cent of it is our own work, because we are towing our own scows and own car floats about the harbor.

Now, this work, as a general rule, is greatest in the early morning and about the close of the day, so that if we were to attempt to take eight hours out of each day, we should have an insufficient number of hours in which to perform the work necessary to be done. The movement of the freight which we handle is principally for ocean-going steamers, loaded in the morning at the docks of the railway company, moved over in the night or, rather, in the evening or afternoon of the day, to these steamships and when this freight is loaded, it has to be moved. It would not do on our part to say that 3 o'clock has arrived and we can not move it until the following morning. That would mean a serious delay to the steamship people who were waiting for the cargo. Likewise would it mean a serious delay to any railroad freight that we might be handling, such as bananas, of which we have a considerable amount of towage with our barges for the Pennsylvania Railroad Co. They must be moved on time.

And if we were to attempt to work 13 hours in one day, it would be a difficult matter to regulate that during the remaining days of the week. And suppose we work 13 hours every day, we should have only 4 days' work in the week, leaving us the other 2 days—I shall not deal with Sunday just now—on which, according to this bill, we could not employ our own men; that is, the men who are at present in our service. It would be imperative that we have another lot of men to take the places of the 8-hour men for the 2 days in question. Either that or the boats must remain idle.

As a matter of fact, I was surprised when I heard this bill had been introduced. I only heard of it about 48 hours ago. Not one word of complaint is coming from any of our people about it. We operate seven tugboats and eight crews. We operate eight crews because one of these boats is made use of at night. Sometimes the boat has a good deal of towing to do at night, but principally we have her out at night for the safety of the property on our tugs and floats. It is necessary always to keep a tug out at night. I think I can safely say we do no Sunday work. We bring a boat out on Sunday solely for the purpose of looking over our properties, but, at the same time, if there is a lighter to be moved there is no objection; and for that work our company pays the men extra for whatever time they serve.

I can only view the bill from this one standpoint: In our case it means an increase certainly of about 50 per cent of the operating costs of our service. Now, although the bill provides for 13 hours and although the existing law contains the provision for 13 hours, our

men are not worked 13 hours. They work, I should say, from 11 to 12 hours; very rarely 12.

I thank you very much, sir.

Mr. GIBSON. Is it not a fact that when your employees report at your office they are there if you want to use them?

Mr. GORMAN. Unquestionably.

Mr. GIBSON. And they are there if you have occasion to use them, and it is your privilege to use them if you want to?

Mr. GORMAN. Undoubtedly.

Mr. MORGAN. The next speaker, Mr. Chairman, will be Mr. W. M. Harris, of the Delaware Transportation Co.

**STATEMENT OF MR. W. M. HARRIS, OF PHILADELPHIA, PA.,
SECRETARY AND COUNSEL FOR THE DELAWARE TRANSPORTATION ASSOCIATION.**

Mr. HARRIS. Mr. Chairman and members of the committee, my situation in life at the start was somewhat like my good friend Capt. Murray's. I had a father who was a tugboat captain. He told me when I asked him whether or not I could not stay on the boat and become a tugboat captain—he said, "Son, get off." I am rather sorry he gave me that advice, because Capt. Murray has been evidently so successful and has become a good tugboat man and such a successful speaker; whereas, on the contrary, I stayed ashore and became a rather poor lawyer. I am rather sorry he gave me that advice and that I did not stick to the tugboat.

The association I represent is composed of tugboat owners, excursion steamers, and passenger steamers in the port of Philadelphia. I might say that, so far as I can see, the Philadelphia engineers are evidently satisfied with this arrangement that exists at the present time, because they are not represented here to-day. There is no one as far as I can see, who is here from Philadelphia standing for this bill or any of its parts. If there were a great question involved in this bill, I think that the boat owners of Philadelphia or the boat owners of New York, for that matter, would be very glad to meet these gentlemen more than halfway. As far as I can see it is simply a question of adding one more to the great number of bills and legislation that the vessel owners and vessel interests have had to contend with in late years. I do not believe there is any great public demand involved in this bill. There is, on the contrary, a great deal of inconvenience which will result from its passage.

You have here the inconvenience of getting capable men to take these positions; you have here the inconvenience of finding suitable places for those men on those boats. And I represent as counsel in Philadelphia a number of those sand boats that are engaged in carrying sand barges. They are now loaded up to their full capacity for equipment with regard to carrying those men and the imposition of any more men on those tugboats would be a hardship. I am speaking with regard to their taking proper care of these men, aside from the monetary consideration involved. In considering the expense, those are things which go to the whole tenor and nature of a bill, the hardship involved as against the cutting off possibly of a few hours in the employment of a number of men. They have a limited sphere as far as I can find out in New York.

Now, following out the suggestion brought out by Mr. Higgins about getting more legislation and getting overburdened with legislation which steamship interests and allied concerns are now engaged in trying to obey, we have had in late years, as I say, some legislation passed by Congress which, as far as Congress has been able to ascertain, has not been followed in the operation and execution of those laws. I have in mind the seamen's bill which was passed by Congress and which in a great many of its provisions has been entirely set aside by the Department of Commerce and Labor, who recognized its inefficiency and its insufficiency in covering a great many points.

Mr. BURKE. Can you tell us any part of the seamen's law that has been set aside by the department you mentioned?

Mr. HARRIS. I refer to its operation in a number of instances, sir.

Mr. BURKE. My question is what particular part of the seamen's law has been set aside by the Department of Commerce or the Bureau of Navigation?

Mr. HARRIS. I am not able to refer to any particular part; I am speaking about the whole tenor of the act. Because I believe that the gentlemen here will agree with me also that the Department of Commerce and Labor realizes that the act itself is entirely too stringent and does not meet the requirements of commerce and of navigation. I would refer especially to an act of Congress that has been set aside by the executive department, and that is the act of Congress which made the remittance of 5 per cent of the customs entering in American vessels.

Mr. BURKE. But, my friend, that is not part of the seamen's law.

Mr. HARRIS. That is not part of the seamen's law, but it goes to show, sir, that legislation that is being passed now, or some of it, at least, is so ill suggested that another department of the Government does not see fit to exercise the law passed by Congress. And that leads me to suggest, sir, that instead of the overburdening of navigation and the overburdening of commerce with legislation which is more or less one-sided, legislation would be welcomed in the form of corporation, as far as I myself particularly am concerned, through a shipping board that would consider these subjects from the standpoint of correlating and combining the legislation in the form of a code giving full consideration to all the facts and giving full consideration to every conceivable part of the law, rather than as it is now, where we have legislation which is burdening upon commerce and burdening upon navigation.

I thank you.

STATEMENT OF MR. CHARLES R. STEWART, OF JERSEY CITY, N. J., REPRESENTING THE ERIE RAILROAD CO. AND NEW YORK FERRIES.

Mr. STEWART. Mr. Chairman and gentlemen of the committee, the ground has been pretty well gone over by those in opposition to the bill, and I do not know that there remains much for me to say; but I do want to take exception to a few of the remarks made by Capt. Murray regarding the deplorable condition of the towboat men in the port of New York.

I have had charge for the past 10 years of a marine department composed of some 600 vessels of different kinds, 20 tugs, 10 ferry boats, and several lighters. During that 10 years the increase in pay of all hands has been nearly 50 per cent. Our tugboats are all carrying more men than they are certificated to carry, but not in the pilot house or the engine room; that is, not pilots and engineers, for the simple reason that, while the boats have become larger and more capable, the duties of these particular men have become less, and the additional work has fallen upon the deck hands, firemen, oilers, the float men, etc. We have not a tugboat to-day that is not fitted with modern steam steering gear; and if the steam steering gear on one of those boats gets out of order, a valve needs packing, another adjusted, it is necessary for the boat to lay to and wait until I send a machinist to do the work.

In the case of the engine rooms we carry two firemen where the boat is certificated to carry one, and we carry an oiler who we try to get of sufficient intelligence to replace the engineer in the event of anything happening to him.

Now about the hours of labor. The tugboat men employed by my company are supposed to be the double-crew boats on duty 12 hours. They come in the morning at 6 a. m. and remain until 6.30, getting their breakfast. They are then assigned to certain duties. Wherever they happen to be at 12 o'clock, the boat invariably lays there 30 minutes to allow them to get their dinner. That likewise applies to their supper between 5 and 6, and at 6 o'clock at night they are relieved. Now, it is quite true, as Capt. Murray says, that those men do require a considerable time to go home. The Erie Railroad does not prescribe where their men shall live. They are very free with their passes to their employees and I believe some of our men live as far away as Newburgh, to which point they get free transportation for themselves and their families.

In the case of our steam lighters, we operate eight. They run no Sundays; they run no holidays. Their actual running time in any day of the 365 during the year is not over four hours. We are about to be presented with a wage scale, I understand, from the marine engineers, who would like to have a little in addition to the 50 per cent we have given them in the last 10 years. In that wage scale I notice that two of the boats that are working for my company under charter are to receive a pay of approximately \$10 more per month than they are getting now; but when the same boats are not working for the Erie Railroad Co. they are permitted to run for approximately \$15 per month less.

In the case of the river towboat lines we have on the Hudson River probably two or three of the largest towboats in the world; that is, I am speaking as to power. This scale of wages that is about, I might say, to be wished on us, calls for a wage of \$15 to \$20 a month less on the largest of those tugboats in the world than it calls for on a small, one-cylinder, high-pressure tugboat operated by the Erie Railroad Co.

Now, Mr. Chairman, it is cases of that kind that we take exception to. We believe in a square deal. We give our men a square deal to-day and I do not believe there is an employee of the Erie Railroad Co., a captain or an engineer, who would come in my office and say: "Mr. Stewart, there is justice in this bill." There is not one. The

most desirable positions in the steamboat business, I suppose, in the port of New York and other similar ports are in the employ of the railroads. I suppose if it became necessary for us to get additional men (and we would need them very badly if this bill is enacted into law) I could not fit up three additional tugs—that is, in addition to what we have already in the service,—in a week, if I tried my best, with the men that are available. We perhaps could get some of the men employed by those who can less afford to lose them, because we offer better inducements.

I desire to say a word now, Mr. Chairman, about what is necessary for the railroad company to put up with to secure a qualified tugboat captain. Notwithstanding the fact that I was advised by the Steamboat-Inspection Service at one time that I was to take on any man who held a license that he was competent of doing the work, I figured to make a competent or fairly competent captain on the Erie Railroad that a cost in damage of \$25,000 is conservative. And I can prove it; I can prove we have not made a captain, and we have made every one that we employ—we have not made a one that has cost us less than \$25,000. I want to say further, Mr. Chairman, that if this law was enacted and it made it necessary for me to engage approximately 20 more captains, I do not think we could afford to stand the cost of qualifying them.

I thank you, gentlemen.

(Thereupon, at 1 o'clock p. m., a recess was taken until 2 o'clock p. m.)

AFTER RECESS.

The committee reconvened pursuant to the taking of the recess.

Mr. KINCHELOE. Mr. Chairman, Representative Rouse is here. He desires to make a short statement and to file some protests to the bill to be inserted in the hearings, and he has to go over to the House and I would like to have him heard right now.

The CHAIRMAN. Very well.

STATEMENT OF HON. ARTHUR B. ROUSE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF KENTUCKY.

Mr. ROUSE. Mr. Chairman and gentlemen of the committee, I filed with the chairman of this committee day before yesterday a telegram I had received from Capt. J. T. Hatfield, of Covington, Ky., one of the largest coal operators and steamboat men in our State, protesting against the passage of this bill.

I have received this morning a telegram from Mr. Oscar F. Barrett, who is the head of the Barrett Line of steamboats and barges, of Cincinnati, protesting against this bill; also a letter giving his reasons for his protest. I have also received a letter from Commodore F. A. Laidley, general manager of the Louisville & Cincinnati Packet Co., protesting against the passage of the bill.

I would thank you very much if you would include these protests in the hearings.

The CHAIRMAN. That protest is especially against section 4 of the bill, is it not?

Mr. ROUSE. It is against the bill, and I would be inclined to vote against the bill in its present form because these gentlemen so advise me.

(The telegrams and letters submitted by Mr. Rouse are as follows:)

COVINGTON, KY., April 3, 1916.

ARTHUR ROUSE,
Congress Hall Hotel, Washington, D. C.:

The following is a telegram sent to David H. Kincheloe:

"We earnestly protest against the passage of House bill No. 8036, which has reference to three crews on steamboats in western rivers. The passage of such a bill would be destructive to present transportation lines and undoubtedly would prevent the development of communities along the banks of the western rivers. It is not practical and is without benefit either to the public, the boat owners, or the employees. Its passage would make useless a large expenditure of money by the Government for the improvement of inland waterways. If you can help Butts and I any we will be pleased."

J. T. HATFIELD.

CINCINNATI, OHIO, April 4, 1916.

Congressman A. B. ROUSE,
Washington, D. C.:

We desire to enter our most strenuous objections to passage of H. R. bill 8036 as being entirely unneeded and an added burden to operators of inland vessels, with no possible benefit to operators, licensed officers, or shippers; in fact, just the reverse. Under present and past conditions boats do not average 16 hours running time out of 24 with double crews aboard for past month. March shows boat averaged 13½ hours' running time with double crew aboard per 24 hours, balance of the time being tied up at bank with crews idle, owing to bad nights or bad condition river, fog or wind. Furthermore, there is lack of efficient licensed officers under present laws, notwithstanding boat owners afford every inducement for young men to prepare themselves for licensed officers. We trust you will use your best efforts to defeat this bill.

OSCAR F. BARRETT.

BARRETT LINE,
Cincinnati, April 4, 1916.

Hon. A. B. ROUSE,
Washington, D. C.

DEAR SIR: As an individual steamboat owner and member of the National Board of Steam Navigation, also a member of the Ohio Valley Improvement Association, I desire to enter my protest against favorable recommendation by the committee on House bill No. 8036. We enter this protest because there is no need to change in conditions pertaining to the officers of river boats as proposed by this bill. Since the expressions we have had from officers on our boats, and from other boats, there is satisfaction on the part of all concerned. Furthermore, under the present conditions of labor or the hours are certainly not excessive. The average running time of a river boat is not over 16½ hours per day, since fog, bad weather, etc., necessitate the boat to remain at the bank for considerable time, and this allows extra time for recreation and rest for the officers and crew.

According to the log for the month of March for one of our busiest boats, the average time of this boat consisted of 13½ hours per day. This boat carried the full complement of officers and crew, or what we call a double crew.

Not only is this change unnecessary, but if the proposed bill is favorably recommended and passed by the House and Senate the changes proposed will be very detrimental to the river business. In the first place, nearly every steamboat on the river would be compelled to add four additional licensed officers to their crew. Under the present conditions some of us find it very inconvenient and a source of a great deal of worry and trouble to procure the services of enough competent officers to carry on our business. If this bill should pass and four additional licensed officers were required on each boat it would be practically impossible to get licensed officers. Under these conditions in the packet business the lives of the passengers would necessarily be entrusted to officers whose experience was insufficient, and whose skill was way below the average.

If this bill is aimed to eliminate steamboat accidents, it is failing in its one great purpose, and not only failing but making steamboat accidents more probable by compelling steamboat operators to employ incompetent officers. By this argument

we are not finding fault with those authorities who issue license to applicants, because by any examination incompetent men will be able to receive their license.

Furthermore, if this bill is passed and an increased complement of officers is made necessary, it is obvious there will be crowded conditions in the sleeping quarters of the officers, as it is impossible for the steamboat builders to provide larger quarters and better accommodations for their officers.

All of these arguments are as nothing in comparison with the fact that the purpose of this bill will kill the effectiveness and the benefit of the millions of dollars which have been spent and will be spent in the improvement of the river. This money was spent with the idea that it would facilitate river transportation, thereby decreasing the cost of distribution of commodities manufactured in this country and possibly destined for foreign markets. This House bill would lay such a great burden upon the small steamboat owners that they would practically be forced out of business, while the larger operators would feel the increased burden and their competition would be cut to a minimum, leaving them the field for monopoly if they can stand the increased burden. However, this is not the end of the burden imposed by this bill. It is almost proverbial that the entire burden is not directly borne but the ultimate consumer is the one that pays the price of the initial burden. This bill would lay the burden of increased expense upon the operators through forcing the operator to raise his freight rates, laying the river business at the mercy of the railroad competition, and that tonnage which is carried under conditions imposed by this bill would necessarily raise the price of the finished product to the ultimate consumer.

Is it possible that a Congress that has as its policy national preparedness, which pretends to foster rapid, inexpensive, and efficient transportation of commodities; a Congress that will appropriate several million dollars for river improvement, thereby proving that it wants to see those natural highways of transportation used to great advantage, is it possible that this Congress will pass a bill like this (H. R. 8036), which will seriously cripple those agencies that alone can justify the expenditure of money for river improvement?

I can not urge upon you too strongly that you use whatever influence is in your power to defeat the aforesaid bill.

Trusting that you will give this cause that consideration which it demands, that action which your conscience dictates, I remain,

Very truly, yours,

OSCAR F. BARRETT.

BARRETT LINE,
Cincinnati, April 4, 1916.

House bill No. 8036 should not be passed, for—

1. There is no need of a change in conditions as pertains to the bill, in that (a) licensed officers are satisfied, (b) the hours are not excessive.
2. The proposed changes will be detrimental, in that (a) there are not enough competent officers; (b) crowded sleeping quarters will result; (c) It will counteract the benefits of the money spent on river improvement, because (1) The small steamboat owner will be at a disadvantage; (2) It will necessitate higher freight rates.

LOUISVILLE & CINCINNATI PACKET CO.,
Cincinnati, April 4, 1916.

HON. ARTHUR B. ROUSE, M. C.,
Washington, D. C.

HONORABLE SIR: Your attention is referred to H. R. bill No. 8036, limiting time of licensed officers employed on steamers on inland waterways to 56 hours per week. This will about finish the steamboat interests, as at the present time and for the past several years the steamboats have not made any money. Rail competition to river points and gasoline boats have about killed what little trade they had, and now to inflict the expense of a larger crew on the steamboats will finish them. May I ask you to use your influence to defeat this bill and save the lives of the steamboats that are now in existence?

Respectfully, yours,

F. A. LAIDLEY,
General Manager.

Mr. MORAN. Our next speaker, Mr. Chairman, is Mr. Fuller, of New York, representing the Merritt & Chapman Wrecking Co.

**STATEMENT OF MR. CHARLES H. FULLER, OF NEW YORK,
N. Y., REPRESENTING THE MERRITT & CHAPMAN DER-
RICK & WRECKING CO.**

Mr. FULLER. Mr. Chairman and gentlemen of the committee, I have the honor to be the attorney for the Merritt & Chapman Derrick & Wrecking Co., of New York, and although I am a lawyer I am not going to inflict a speech upon the committee. I believe in a hearing of this sort a committee desires more particularly to hear directly from the business men whose interests are at stake rather than indirectly from attorneys who come here representing these men.

I merely wish to register a strong protest on behalf of my clients, the Merritt & Chapman Derrick & Wrecking Co., against section 4 of this bill. Our business, as you probably all know, is of a somewhat different nature, I think, from that of any other concern that has been mentioned here to-day.

My clients, I am informed, have already submitted to the committee their views in their own way, stating why they are opposed to this bill, and for the present I am content to refer the committee to the letter which has been sent by the company to each member of the committee and to ask leave also hereafter to submit any additional memorandum that may occur to me after listening to-day to the very able speeches that have been made in opposition to this bill.

Therefore, Mr. Chairman, I will not take any more of your time at this moment, and merely say we are strongly opposed to the bill, and particularly in the wrecking business, in which we are so largely engaged, the bill would be most disastrous, so far as I can see, to the interests of my clients, both in the daywork which they do and also in the 24-hour work which they are obliged to do frequently. Both in inland waters and outside they do 24-hour work and daywork, and it would be most disastrous to them in every respect to be obliged to come under the provisions of this proposed amendment.

Mr. MORAN. The next speaker, Mr. Chairman, will be Mr. Ira Bronson, of Seattle, representing the Puget Sound steamboat interests.

STATEMENT OF MR. IRA BRONSON, OF SEATTLE, WASH.

Mr. BRONSON. Mr. Chairman and gentlemen of the committee, I am also, unfortunately, a lawyer and am and have been, for some 20 years, personally interested to a very considerable extent in a great many of the steamboats on Puget Sound.

It seems to me from what we have heard of the discussion of this bill this morning that the main incentive, perhaps, for this bill appears to be the unusual conditions which exist in and about New York City. I do not suppose it is unfair to assume that those conditions to a very considerable extent are both unnatural and are temporary in character. Certainly the conditions which obtain in certain other portions of the country would not justify the passage of such a bill as this, which would mean to my partners and myself a very, very serious loss. In some cases it would amount to confiscation.

The business which we operate on Puget Sound, with some 18 or 20 vessels, touches several different ports. We meet the competition

of the Canadian Pacific Railway Co., operating the Canadian Pacific Navigation Co., which operates very fine and very fast vessels and which are operated under the British law, as you are aware. And we operate in that respect into British territory, where we are not as welcome as we might be. I had the honor of appearing some years ago before the Victoria Board of Trade, and while they were courteous about it, they were nevertheless firm about it and frank about it, in saying to us while we were attempting to foster good will between Puget Sound and British Columbia, that even with competition in view with the Canadian Pacific Railway Co. and the Pacific Navigation Co., which handled their business almost exclusively, they did not care to see a vessel flying the Stars and Stripes coming into Victoria. That is one of the conditions we have met there.

We operate vessels also on shorter runs and long runs and interspersed with a great many landings. We have one vessel, for instance, which leaves Seattle and on account of the requirements, absolute and positive, of the United States Government in carrying mail at midnight, our vessel calls at Port Townsend, lays there two or three hours; calls at Port Angeles and lays there several hours; goes down to Neah Bay and lays there four or five hours; and then comes back with more or less the same program, but with much fewer night stops, and comes into Seattle in the afternoon at 3 o'clock of the day following the day she left. Now, it is very easily seen, not going into very much of the details of operation (and I am not as familiar with much of the details of operation as I might be, because I am only here because my associates wired me at New York to come over here, having heard this meeting was to be called), so far as a casual examination of that work will enable us to see, it is apparent that any man in the deck and engine crew of those vessels is going to find time on his hands. And it is very apparent we can not put that man ashore; he does not want to leave the vessel; and yet he is, under the law and under the custom of the ships, under those circumstances, a man on duty, and he has got to be considered as within the provisions of the eight-hour proposition if it were enforced.

Now, we can not provide the accommodations which the law now requires, and this bill would require us to double the crew. It is impossible to do it on those ships, and some of them are comparatively new boats. We can not possibly comply with those conditions.

Again, we have a run between Seattle and Everett that we have operated at a net loss, year after year, consecutively for 10 years. Some one may say: "Why operate it, then?" The hope, of course, is that in the interurban business the Northern Pacific Railway will not always absorb so great a portion of that business and that the traffic will become a profitable one. But if you double the crew that vessel in red ink, or the two vessels in red ink, all of these years, are going into it a great deal worse and it would practically force that traffic to be suspended.

We have very drastic conditions in Seattle at the present time. The provisions of the seamen's law, which makes the requirement for certificated men, etc., and so on, has perhaps indirectly resulted in a strike there which has practically amounted to a demand for double the wages which are now being paid. And it would amount, as I have computed it, without having verified my figures (which I could not even explain to you, although it was explained to me), that

the amount of wages which would be required to be paid to deck hands under the present demands of those men which they are now making, working on the idea that their places can not be filled by men qualified under the law, would be something like \$120 a month, including board, which is given to the members of the crews on those vessels.

Under those circumstances, it seems to me that the conditions are so diverse, and what has been said here before the committee to-day shows the conditions throughout the country are so diverse, that no law of this kind can be made to fairly operate for the benefit of all parties concerned. The conditions are manifestly different.

The CHAIRMAN. Are you of the opinion that a man should be required to work more than 13 hours in a day?

Mr. FULLER. No; Mr. Chairman. And our men do not work 13 hours a day, nor anything like that. They do not average—oh, I would not attempt to be accurate, but they do not work anything like 12 hours a day; but they do operate as I have called to your attention on this boat. That boat is laid up from Saturday afternoon until Sunday midnight, and that would bring that time down, so that it will only lap over by a few hours, as near as I can compute it, the time which would be given by this bill. In other words, we would have to have a crew there whose time would be idle very largely; and as it has been shown on board ship, the same as it is in a law office or any place else, idleness is not conducive either to human happiness or the best interests of society.

I thank you very much.

Mr. MORAN. Our next speaker, Mr. Chairman, will be Mr. J. Frank Tilley, of Pittsburgh, Pa.

**STATEMENT OF MR. J. FRANK TILLEY, OF PITTSBURGH, PA.,
SECRETARY PITTSBURGH COAL EXCHANGE.**

Mr. TILLEY. Mr. Chairman and members of the committee, I represent the Pittsburgh River interests operating steamboats on the Monongahela, Allegheny, Ohio, and Mississippi Rivers and some of their tributaries. I speak only of the inland rivers along the coast. With that phase of the subject my knowledge ends.

Without traversing the particular lines of remarks of Capt. Burnside and Mr. Francis I corroborate and approve of them. I am only going to speak in general terms of the conditions of navigation, the character of our boats, and the conditions of service. The conditions of navigation are chiefly the depth of water in the river, ice, fog, and flood, the size of the locks which the Government has constructed on our improved streams, and the height of the bridges under which our boats must pass.

Beginning with the conditions of navigation the stage of the river at Pittsburgh varies from a few inches in depth to about 36 feet. We have none of the tidal problems that our friends from the coast have to contend with. Ice, fog, and flood are visitors, particularly in the winter season, and that is the chief season in which our navigation must be carried on. Because of this shallow water in the river so much of the time one element that goes into the character of our boats is determined, and that is the shape and construction of the hull.

Our western river steamboats seem to be so little known to most people with whom I talk in the East that a brief description should be made of them. The hull must be of shallow build and light draft; that is to say, in many of our boats engaged in local operations the hull is only about 4 feet from the top of the fore timber to the bottom of the deck timber. In the larger boats the depth is perhaps 8 feet or more. The size of the boat and its shape is also determined by the locks of the river, which permit of just a boat of such a width to be used with the class of craft that we navigate, and such a length. Now, the main deck of the boat is very near the surface of the water. I see no pictures of western river steamers here, and you must forget all about these steamers with their deep hulls and great distance to the deck. The guards of our boat, which mark the top of the hull, are a few inches above the top of the water. Sometimes you will see them almost awash.

On the main deck is the forecastle, which has space enough for the capstan and room for a few lines. Then comes the forward bulkhead, upon which is the coal bin. In this coal bin is carried fuel for the boats. On the smaller class of boats we put on about 500 bushels of coal. On the very largest boat we put on 15,000 bushels of coal for fuel. None of these boats carries 1 pound of freight or one passenger. Back of the coal bin are the boilers, which are of the longitudinal type, two flues, and about 28 or 30 feet in length. Back of the boilers is a small deck-room space in which are kept the yawls of the boat, some of the lines, and various articles. Back of that is the engine room, which occupies all the rest of the main deck. The entire main deck of the boat is taken up with the necessary machinery for the operation of the boat.

The next deck of the boat is called the boiler deck, and on the forward end of this boiler deck we have a space for receiving coal on the boat, which is let down through a chute and through a hole in the deck, and passes down to the coal bin. Then we come to the pilot house and then the cabin, which has the staterooms, dining room, the steward's department, kitchen, pantry, etc., which takes up all of that deck.

Those are all the decks we have on that class of boats. Now they are at present, with the crews we have, crowded to their capacity, and there is no further crew space. And I declare to you that the provisions of this bill would impose upon us conditions impossible of fulfillment and intolerable hardships.

If we pass to the largest boat which we have, which is the steamer *Sprigg*, I think because of the lack of knowledge in most men's minds relating to the class of vessels navigating our rivers that I should pay some little attention to this boat. I have just written the members of the crew down so that you will know what we carry in an extreme case. We have the master, 2 pilots, 2 deck pilots, 2 engineers, 2 striker engineers, 2 water carriers, 1 mate, 1 watchman, 1 steward, 2 cooks, 2 flunkies, 1 chambermaid, 1 carpenter, 1 blacksmith, 12 firemen, and 45 deck hands—a total crew of 78 men, including 1 woman. Now, if we had to increase that crew by 50 per cent, what on earth would we do with 100 men on a boat and how would we feed 100 in that lower country, where we are away from towns of any size for days at a time? So much for the character of the boats.

Next, I will take up the conditions of the service. Our boats when in commission are in continuous operation—that is, unless delayed by fog, ice, flood, or low water. And in as much as it is the sum total of these details which work these intolerable hardships and impose conditions impossible of fulfillment on us, I think that perhaps a few of those details I should mention. If one of our boats has made a trip to some southern port, say, New Orleans, and is returning to Pittsburgh, on the lower river boats we ship by the trip. If that boat lays up 400 miles from Pittsburgh or at any other place along the river on account of low water, we have one of two things to do—the crew must be returned to Pittsburgh at our expense or we must keep them on the boat and feed them, with nothing to do until we have a freshet on the river, which is frequently six months from the time the boat is laid up. We spend thousands of dollars in railroad fares returning our crews to Pittsburgh. Again, they are compelled to lay up by reason of floods in the river. Of course, they are not of such long duration; but if they lay up five days for floods the crews are kept on the boats all the time, and I should say we feed all of our men on all of our boats, and we furnish the food, and as Capt. Burnside has remarked, they have about four meals a day. Then this railroad fare is doubled and trebled. A rise comes in the river, and we put that crew on a train, again pay their fare down to the steamboat, wherever it is, and it frequently means \$10 per man and their subsistence on the way. We start up the river and low water may catch us again, and this may be repeated several times—bringing the men back to Pittsburgh and then returning them to the boat.

The crews on all the boats are divided into two watches, the foreward and after watch, and serve six-hour turns. Practically on our boats, which are in continuous operation, they live on the boats. We have some steamboat mates and other officers on the boats who have made their homes on the boats for from 15 months to 3 years at a time without interruption. Until a month or two ago, the Pittsburgh companies kept many men that they called yearly men on their lists—captains, mates, and engineers—whose salaries they paid for 12 months in the year when the men might render only 4 or 5 months' service. I can call a captain at present in this room to arise to his feet who will tell you he has received his salary regularly for seven months in the year and never touched his hand to work on the steamboat.

These captains, pilots, and others scatter in the summer to the watering places and summer resorts, and the only string we have to them is that we must have their address and they are subject to call by telegraph. The river frequently reaches the low stage in May and the common remark is, "No more navigation until snow flies." We have a happy and contented lot of men on our boats. I am perfectly frank in saying that and I believe it will be borne out by the men themselves. They have little work to do. For instance, you take our pilots, and they will have what we call steam steering rigging and the pilot may have a stool to sit on. He must not have a chair; chairs with backs on them are barred from the pilot house. If he falls asleep on a stool, he will fall off and wake up. We had one man who ran into a bank when he had \$20,000 worth of coal on board and did considerable damage, and he was frank enough to admit that he had fallen asleep. With this steam steering, our deck hands on boats on the Monongahela River, where the locks are 8 to 14 miles

apart—while the boat is passing through the locks they have some work to do—I can not say they are just absolutely idle half of the time, but the greatest part of the time have nothing to do to engage their attention. They are well housed, well fed, well kept, and well satisfied.

Mr. GIBSON. You spoke about a captain falling asleep and falling off the chair and doing a lot of damage. Did he fall asleep for the want of sleep? [Laughter.]

Mr. TILLEY. Did he fall asleep for the want of sleep?

Mr. GIBSON. That is just what we are arguing, that the excessive hours a man works force him to go to sleep while on duty.

Mr. TILLEY. No; he is only on watch six hours.

Mr. GIBSON. But you made the statement he fell asleep while at his post of duty, and that is what I want to know, if it was because of want of sleep?

Mr. TILLEY. I can produce him. He was frank enough to say, "I went to sleep." You know a man on a warm summer day, with nothing to do, is pretty apt to get drowsy.

Mr. MORAN. Mr. Chairman, we will just call one more speaker, Mr. Campbell, of San Francisco, counsel for the Ship Owners & Merchants' Tug Boat Co.

STATEMENT OF MR. R. A. CAMPBELL, OF SAN FRANCISCO, CAL., COUNSEL FOR THE SHIP OWNERS & MERCHANTS' TUG BOAT CO.

Mr. CAMPBELL. I am counsel for the Ship Owners & Merchants' Tug Boat Co., of San Francisco, and on behalf of that company I desire to lodge our protest against the bill.

I desire simply to tell the committee briefly of the conditions under which our tugs operate, in order that the committee may judge for itself at to whether or not this bill is needed for the betterment of the men. We operate 17 tugs, 4 of which are engaged at various times in the coastwise towing between Alaska and Panama. The remaining tugs are harbor tugs, used in San Francisco Bay and up the Sacramento River. The men on the harbor tugs live at home, either in San Francisco, Oakland, or Alameda, and are required to report for duty at 6 o'clock in the morning part of the time. Some of the tugs are started out at 6 o'clock; other tugs are started out at 7 o'clock. Those tugs are used in moving steamers at the wharves, in towing barges about the bay and in towing sailing ships, and going up the Sacramento River with barges and assisting steamers in docking, because of the current and tide.

The tugs are laid up at 6 o'clock at night excepting that some of the tugs which go in service at 7 o'clock in the morning are continued on until 7 o'clock. We keep on hand but one tug throughout the night, with one crew standing by. The other crews are permitted to leave at 6 o'clock or at 7 o'clock, as their turns might alternate; and very, very frequently, when at 4 o'clock in the afternoon there promises to be no further business for the day, the crews are dismissed and allowed to go to their homes at 5 o'clock. We operate no tugs on Sundays, except in emergencies and except we do keep standing by one tug. The crews alternate in taking their turns on the

Sunday watch. We follow the same policy on holidays; we keep one tug standing by during holidays.

With the coasting tugs, we alternate with them. If one crew has been out on a long voyage and comes in, then on the next long voyage another tug is sent out, in order that the crew which has just come back may have an opportunity to stay at home or an opportunity for the harbor service and the short service.

Now, it is under those conditions that our men work and we have yet to hear of any complaint about their being overworked. I might say that the company has in its service masters, mates, engineers, and firemen who have been there for many, many years. If these men did not think that the conditions were satisfactory, they could, with the growing commerce up there on the coast, and particularly in the lumber-carrying trade, have had plenty of chances to have forsaken the tugboat service and gone into the coasting service. They have not done so and you will find there are many, many men still remaining with the company who have been there for 10, 15, 20, and even 30 years. And it is under those conditions our tugs are operating.

Mr. GIBSON. Is it not a fact your company does not work its men over 13 hours a day?

Mr. CAMPBELL. They work under the conditions I have stated to you; they start out at 6 in the morning and quit at 6 at night.

Mr. GIBSON. I was the business man of the Marine Engineers Association at San Francisco for a period and Capt. Gray and Capt. Crandley, of your company, made an agreement with me, in behalf of that association, that they would not work their men only nine hours a day on the boats.

Mr. CAMPBELL. Yes.

Mr. GIBSON. It is 10 hours, but they allow their men a whole hour at noon for lunch. And if there is no towing on the river, as you state, the men are knocked off until such time as a boat comes in the river.

Mr. CAMPBELL. Yes.

Mr. GIBSON. And it is optional with the men as to whether they sail—if a boat leaves at 6 or 7 o'clock from Port Costa to go to San Francisco, the men may not leave until midnight. And if you will look at your records, any engineer who comes in your employ that works 13 hours a day at any time, the reason for their knocking off early in the day is for the company's compensation to them for any overtime which they have done, in lieu of compensation. That was the agreement with Capt. Gray and Capt. Crandley and myself. And I know your company does not work a crew 13 hours a day unless it is a matter of distress or disaster on the outside; and on the ocean-going tugs you carry three crews, so those men do not work but eight hours a day, except when offshore.

Mr. CAMPBELL. Then there is a branch of the business up there which is satisfactory now?

Mr. GIBSON. Perfectly; the San Francisco towboat business is ideal; but I wanted to correct the impression which might go out that the men were working over 13 hours, when they are only working 9 or 10.

Mr. MORAN. Our last speaker, Mr. Chairman, is Mr. Arnon L. Squiers, of New York.

**STATEMENT OF MR. ARNON L. SQUIERS, OF NEW YORK,
N. Y., REPRESENTING THE JOHN E. MOORE STEAMSHIP
CO. OF NEW YORK.**

Mr. SQUIERS. Mr. Chairman and members of the committee, I am also an attorney, and I have listened to some very enlightening presentations of facts before this committee, and, like my predecessor, Mr. Fuller, I do not think you want to hear any speeches at this time from attorneys.

The facts relating to the company which I represent, which is the John E. Moore Steamship Co. of New York, have been very fully stated by Mr. Dalzell and Capt. Pollock and others who have spoken regarding the towing business. This company also has two passenger steamers, and there is a branch of work in which it is engaged which is unlike any that has been presented, I think. For a number of years they have been under contract with the steamship companies for the transportation of all immigrants that come into the port of New York from the steamships to Ellis Island and from Ellis Island to the various railroad terminals. Of course, so far as that transportation is concerned, you can readily understand that the operation is in the daytime, under such regulations as the governor of Ellis Island establishes, and which are very necessary.

Now, if the committee will permit me, I would like to get something a little personal off my chest. Perhaps you may think it is irrelevant. But sometimes I get woefully tired of the advocating of measures which are absolutely useless, and there seems to have become a peculiar sanctity in the number of hours a man shall work. I have been taught that the ideal division of time is eight hours for your usual vocation, eight hours for recuperation and sleep, and eight hours for the service of God and your distressed worthy brother. But I have found this, that the man who adheres to working only eight hours a day and refuses to work more than that is not giving the closest observation to the remaining two-thirds in the division of time.

Now, I do not know how many of the members of the committee or how many gentlemen here were brought up as I was brought up, but if you will permit a further personal observation (and I have been very thankful for it), I was born and brought up on a farm. And when I was a boy only 10 years of age I got up at half past 4 in the morning in the summer time and half past 5 in the wintertime, and we quit when the work was done. There was not any question of eight hours a day. Now, I take it, if I had been dissatisfied and refused to work more than eight hours a day I would have still been following the plow upon the old farm in New York State, which perhaps would have been a better vocation than the one I am pursuing; but I am making no apologies for the profession of the law. I am proud of my profession and believe it to be a wonderful one, and I would not give up my profession for any other known to God's earth. I make no apologies for it to any committee or any other body when I am representing a client; and it has been brought to me that here is an amendment to a law already on the statute books, as I under-

stand the Hardy Act, the seamen's act, and other acts, which is attempted to be passed before the acts which you have recently put upon the statute books have been fully digested by the merchant marine interests and before the merchant marine interests have fully digested those, and the law so interpreted so that they may know and the Government may know what it means. And why? If I gather from Mr. Gibson and Mr. Stiles and the other speaker here, Mr. Murray, it is to legislate some more jobs for some men, and the men for which do not exist.

I have heard the complaint from one of the speakers that there were some of those men who already have licenses for this position who had to wait for a time for work in their line and to work in a position other than that for which they were licensed until there was a vacancy so that they could be promoted to it. Well, if it has come to be the case where as soon as a man receives a license he must be assured and guaranteed a livelihood, then we have come to a pretty pass. I wish it had been so when I got my sheepskin and certificate of admission to the bar. I should have liked to have been guaranteed a livelihood; it would have saved me 10 years of hard, sweating, anxious, worrisome toil and the query as to whether I had not selected the wrong profession.

Now, I contend this: I think we are attempting many times to go too far in legislation of the hours of work. Work never killed any man, if it was honest work, if the man engaged in the work did not sit with a timepiece before him to see when the minute hand moved around to 5 o'clock. I would not have a clerk in my office who sat and watched the clock, and says, "Because I come at 9 o'clock in the morning I am going to quit at 5." As a matter of fact, we seldom close until half-past 6 and sometimes 7; it depends on the work, and unless the clerks in my office are ready to work until we quit for the day, they must get out and I will supply somebody else. I claim that is good in the law, and I do not see why it should not work in the business interests and every other interest. The man who rises in business, and you men know it, is the man who goes into business and works from the bottom up and who will not be quitting on the tick of the watch, but working 8 hours, 10 hours, or 13 hours, as the case may be.

I learned something here to-day. I have sailed on the water; I was brought up on the shores of Lake Ontario and learned to sail a boat and have been on and about the water all of my life; and I never knew until to-day it was necessary for the engineer to keep a log. That, I understand, is provided in section 4; and I have been advised by some who are informed there is a certain kind of log that the engineer keeps, so that that query which was in my mind has been knocked out.

Mr. Chairman, I wish to thank you and the members of the committee for having listened to me. Although I have gone contrary to my promise not to make a speech, it has given great relief to me to know that is off my chest.

Mr. MORAN. In concluding the presentation of our side of the case I wish to thank you, Mr. Chairman and the members of the committee. We wish to reserve the right or to have the privilege, rather, of submitting a complete list of those present, the districts from which they come, and what they represent. We would also like to

have the privilege of submitting a list of the number of licensed officers that would be required should this bill be enacted into law.

We also have a number of protests from Savannah, Ga.; Jacksonville, Wilmington, N. C., and other southern ports which we would like to submit and have printed in the record.

I thank you.

The CHAIRMAN. Of course, there are a lot of them here and I do not want to put them all in the record. Most of them are repetitions.

Mr. MORAN. A great many of them are along the same lines.

The CHAIRMAN. Yes; and there is no use of repeating what has been said here to-day.

Mr. MORAN. That will close our side of the case for the present.

Mr. GIBSON. Mr. Chairman, I suppose the proponents will take the floor now. While we do not expect to take up the time of this committee that the opponents have taken—they have taken up a great deal more time than they intended to—

The CHAIRMAN. In view of the fact they have, we will be generous with you.

Mr. GIBSON. Thank you. Mr. Delahunty will be the first to address you.

**STATEMENT OF MR. T. L. DELAHUNTY, OF NEW YORK, N. Y.,
REPRESENTING THE NEW YORK BUSINESS MEN'S ASSO-
CIATION.**

Mr. DELAHUNTY. Mr. Chairman and gentlemen and members of this committee, I have been an attentive listener to the statements made and also to the misstatements, if I may be pardoned for using that expression, before this committee to-day.

I am here in support of every section of this bill. It is a bill that is absolutely necessary and required, in view of the fact that legislation that has been formulated for the protection of the interests of the traveling public and the interests of the crew and the interests of the owners, have all been violated in every sense of the word. We think that section 4463, or rather subsection 4463, of the Revised Statutes, where it states that nine hours shall constitute a day's work while in port of any officer—there are cases that have been brought to my attention where men have been actually on shipboard for 36 hours consecutively. Where a man goes to sea, at least 95 per cent of his time is on shipboard.

Section 4, in reference to 56 hours: There have been many statements made here that they would be not able to supply the men in the event of this bill becoming a law. I want to say a little over three years ago, on assuming the duties of business manager of the Marine Engineers' Beneficial Association in the port of New York, every boat was turning its wheel, and since that time we have initiated into our organization 400 members who have obtained an original license. And I leave it to those gentlemen if the tonnage has increased to that extent. If the 13-hour indorsement of the certificate of inspection had been carried out (and there is not any question but what it could be now—we have reason to know it when we turned to and went after the violators) some of our subservient members, if you please, handed it out the marine engineers are going to go after these violators, and the consequence was they did confine

themselves to the 13-hour indorsement in their certificate, and men did say to us: "We never enjoyed better conditions." If there was a possibility of enforcing the 13-hour indorsement of the certificate, gentlemen, we would ask for nothing else; we would ask for nothing further; but where there is a trade or a profession to-day in which 13 hours constitutes a day's labor for a benign Government; and many of these men turn to and go out and work 18 and 20 hours. There may be an hour or two when they are not doing anything at the dock, but they are on duty and have to be aboard that boat in the event they are wanted.

You turn and look at the quality of work exacted of the engineer aboard the ship or aboard the boat 12 hours at sea. Custom has regulated the watch 4 on and 8 off. And after you come off in the daytime the auxiliaries of that ship have to be kept up. You do that in your own time—the time you are supposed to rest up to go on watch again. Where is there any other trade or profession, gentlemen, that requires of their artisans, their mechanics, to come back after their day's work is done, whatever the hours that they work, and make repairs on the machines that they operate? Take any industry, I care not what it is, a man who comes there after his recognized day's work is done gets paid for it. I am not advocating overtime; I do not believe in it; I believe it is pernicious. I believe in hours that would guarantee sufficient rest to the men who are compelled to follow the vocation of the water.

I have listened to the statements where petitions have been presented here and I know that the men who signed those petitions did so with considerable reservation. Now, the owners and the interested men know these things. I am going to read, Mr. Chairman and members of this committee, what was sent in as an anonymous communication and I am going to read it as a signed statement—I am going to sign it myself; or rather it is already signed now—where they would not dare to put their signature to that. I went and investigated in several places where these conditions exist, and they said it is a fact. "Well," I said, "give me a statement of that kind; I understand it will be treated in all confidence before this committee." "No; we have got burnt once before and we do not care to be burnt again." But, however, this is the condition of the gentlemen who are working in the corporations:

SYNOPSIS OF CONDITIONS EXISTING WITH ENGINEERS ENGAGED IN LIGHTERAGE WORK ON RAILROAD TUGS—WITHOUT COOKS—IN NEW YORK HARBOR.

NEW YORK CITY, March 13, 1916.

Attention of Mr. T. L. Delahunty:

Rise at 4 or 4.30 a. m.; summon whoever prepares lunch and breakfast, eat, then take car to boat, arriving at 6 a. m.

Change clothes and work continuously until 6 p. m., without time to eat, wash, change clothes, or take proper care of boiler and engines, as I, like they, am sort of an automatic machine that never stops, even while waiting for orders, getting coal or water, always working on a line at the dock. Relieved at 6 p. m. by night engineer, if not detained on work that keeps us out 10, 15, or 30 minutes, and sometimes an hour over scheduled time. Take car home. Eat my principal meal of the day—finished about 7.30 or 8 p. m. Too late to think of going any place, either for pleasure, education, association, or anything else. The folks at home also share their burden, be it wife, mother, or sister, who has to do our cooking, they spending at least three or four hours a day doing the work the cook on the boat formerly did. Then there is also to be considered the three hours a day extra for the engineers since

the cooks were taken off boats, making his day 15 or 16 hours long. And all without any compensation whatever, but with a saving of at least \$85 or \$100 a month to the company in cook's wages, cooking utensils, etc., not to speak of the saving of time in eating meals and preparing food on board. And adding insult to injury, they tell us to think of all the money we are getting now, the \$15 per month money allowed for board at home, and with the cost of living as high as it is to-day, this is overstepping justice. Things are gradually being reversed, and instead of being on 8 hours and having 16 hours off, same as others throughout the country, we are getting the 16 hours on and 8 hours off.

The marine engineer in New York Harbor is going astern fast, hooked up, and will soon be wide open, if something isn't done.

In face of these facts they have signs posted all over, in red letters, "Safety first."

The conditions above cited are moderate; there are a great many worse cases.

From a brother of M. E. B. A., No. 33.

T. L. DELAHUNTY.

P. S.—Would like to have this read before committee of railroad engineers at meeting Monday evening, March 13, 1916.

And I have found, Mr. Chairman and gentlemen of this committee, on investigation that they are considerable.

Now, we have heard some misstatements made by some of the superintendents of steamships, not of the actual conditions, because I have great respect for the conditions under which the particular line which Mr. Higgins so ably represents, the Old Dominion Steamship Co.—and they are one line and the first that realized the necessity of putting a night engineer on because their boats are very busy propositions. But he turns to and states that in England, who is supreme on the sea to-day, which we all know—it has been no enlightenment to me, I can assure you, and these conditions do prevail—the British Board of Trade recognizes two licensed men, but the companies operating the boats are more liberal than our American employers of engineers. They have never been considered sufficient for the labor that is required to take the boats down to sea. I have recollections of sailing on a line where the responsibility and tonnage has been increased fourfold from an obsolete type of cylinder engine to a two-cylinder compound and three-cylinder triplicate expansion, and yet the number of men and the salaries of the different positions remain the same. The companies never realized until it was through the banding together of a little coterie of men that formed this Marine Engineers' Association. Every one of the number here representing the marine engineers are down here with the consent and by the aid of the hard-earned dollars of the merchant-marine engineers who comprise this organization, who are working for the betterment of the conditions as against 77 or possibly 100 of the interests represented here, men who have filled positions of captain, pilot, mate, and engineer, and who have advanced into the positions they hold. They are here to oppose this; we are here looking for justice, gentlemen, to see that it should be accorded the men who are intrusted with the precious lives of the people of the traveling public. We only ask that the same conditions or approximately similar conditions may be accorded the marine engineer that are accorded every other profession where the hardships are not nearly so great, and where the engineers are subjected to the extremes of the temperature, and where they have a thousand and one annoyances—they have to be wet nurse for everybody on the ship or vessel on which they are employed.

To show you the inconsistency, Mr. Chairman and gentlemen of this committee, where there is really no manual labor required from the other end of the vessel, under subsection 3 of the Revised Statutes, section 4463, where the conditions remained the same, to show you the attitude of our employers, at the very time they were turning to and establishing the three-watch system the local inspectors along our coast were reducing the number of engineers from four to three, but the companies did not reduce the engineers only when they were unable to turn to and get one without holding the ship up for possibly half an hour. We asked the reason why. "We have no idea, Mr. Delahunty, of reducing the number of engineers, and we know they are kept on the jump once in a while." But there is no standard, I want to bring out. And we ask in that section or clause of the bill, or that paragraph of the bill, to give us the same consideration that has been given to the other end of the vessel. We think we are fair in asking that. I mean the 13-hour law or the 13-hour ruling which has the force of law; having been approved by the board of supervising inspectors, the Supervising Inspector General, and also approved by the Secretary of Commerce, it now has the force of law.

We have evidence here, documentary evidence, where one of the early speakers of the forenoon, of one of the boats of his line having been fined, and I have the opinion rendered by Judge Hough in the United States court:

WEARY MAN A MENACE TO LIFE, COURT SAYS.

Decision against tug owners for violating "double-crew" law is sustained. "It is a matter of common knowledge," wrote Judge Hough in a decision filed in the Federal district court yesterday, "that safety in anything that requires human effort depends in the last analysis on the human being.

"A weary man is infinitely more dangerous than a defective pipe or an obscure light, because he is unfit to discover the unfitness of the inanimate object."

Judge Hough's decision was one in which he sustained the lower court in a suit brought by the Government against the owners of the tugboats *Union* and *Dalzelline* for penalties for alleged repeated violations of the "double-crew" law on vessels navigated for more than 13 hours consecutively.

Judge Hough ordered that a penalty of \$500 against each tug shall prevail with costs. The case is an outcome of the tugboat men's strike of 1909, when there were complaints of violations.

Mr. MORAN. May I interrupt, Mr. Chairman, for a moment to state that we would be glad to have the entire opinion as rendered by Judge Hough put into the record and not merely the section of it which the gentleman just read?

The CHAIRMAN. Can you not furnish us with a reference to the opinion?

Mr. GIBSON. We have it right here.

Mr. DALZELLE. If the chairman will permit, I have a copy of the opinion here and will be glad to leave it with you. It is the section which says:

Indeed, penalties of the nature now before me can be created by the master deliberately running over the 13 hours, for section 4499 has no reference to intent. Such a system is an invitation and incentive to what, in popular parlance, is called "black-mail."

You should have read that portion. [Laughter.]

Mr. DELAHUNTY. I do not know what the joke is, gentlemen. Just the same, Mr. Chairman, we have the case here, and I believe Brother Gibson, our national president, will submit that later on

to be incorporated in the record of this hearing. But, notwithstanding Judge Hough's opinion, the Dalzelle Line was fined \$500. I do not know whether it stuck or not, but if it did not it ought to. And we do know Mr. Dalzelle's line can comply with the 13-hour law indorsement and every other line. When we have time to turn to and go after them and follow them up we do turn to and give everybody on the boat when we turn to and have an opportunity to watch them. Sometimes we run a little bluff on them and go out and cop some more of them and send in. And we have some cases now before the collector of customs.

Now they turn to and tell you that the wages have——

The CHAIRMAN. We won't tolerate any violations of the law, and if they do violate the law I think the Steamboat-Inspection Service ought to have its attention called to it.

Mr. DELAHUNTY. It is, repeatedly, Judge; it is repeatedly.

The CHAIRMAN. There can be no excuse for that, I imagine.

Mr. DELAHUNTY. The great trouble is the Steamboat-Inspection Service is like the marine engineers—overworked. [Laughter.] The marine engineers' business manager as well, Judge.

Now we have turned to and turned in the violations. We do not approve of our men violating the law and we will turn them in just as well as we will the companies. But there has been an insidious influence to turn to and create dissension among us. The assistant will go after the fellow who has stayed on from 9 to 14 hours and do this repeatedly, and say, "Did you turn in such and such a ship?" "No." And the fellow comes down after us: "Did you do it?" "Did anybody tell you I turned her in?" "No; we got that information ourselves, and that goes. Now, don't let anybody kid you; we are doing this, and tell them they can come down here and get this information." And that is the way it goes right down the line.

Now, Mr. Chairman and gentlemen, about the 50 per cent, where wages have increased 50 per cent. Before closing my remarks I wish to call attention that there are men operating in the port of New York who have not received an increase of pay only until possibly within the last two weeks—some of them have not received an increase in pay since 1902. And anyone who follows up the statistics of this Government, and particularly those who are on the mailing list, realizes and must know that the cost of living has gone up 55 per cent since 1900. In other words, the purchasing power of a dollar to-day is 45 cents as compared to 1900. The cost of living has gone up $37\frac{1}{2}$ per cent from the records issued by the Department of Labor, from 1907 to 1914— $37\frac{1}{2}$ per cent. Now it is all right for the fellows whose wages have been raised, in some cases, 50 per cent; but to keep up with the bandwagon procession, they are just 5 per cent behind yet. But how about the fellow and what about the fellow whose wages have not been raised since 1901?

Gentlemen, I thank you for the privilege of appearing before you.

Mr. MORAN. Mr. Chairman, if I may be permitted to do it, I would like to have you ask the gentleman, in making reference to the fact that the chief engineer of the steamer has got to look after his auxiliaries after he gets off watch—I would like to know what the engineer is doing while he is on watch?

Mr. BROWN. How is he going to go out of the engine room?

Mr. MORAN. The auxiliaries are in the engine room, or they are below deck. He has also three firemen and water tenders and he has got oilers. Now, referring to the Old Dominion, I understand they carry three engineers?

Mr. DELAHUNTY. They carry four.

Mr. MORAN. They carry four.

Mr. DELAHUNTY. A night engineer?

Mr. MORAN. Yes; a night engineer.

Mr. GIBSON. Some boats only one. I am speaking more particularly of the steamers or the ships.

Mr. MORAN. I would like to have Mr. Delahunt explain to the committee and the gentlemen here what this engineer is doing while he is on watch.

Mr. DELAHUNTY. Mr. Chairman and gentlemen of this committee, there have been so many diversified conditions expressed here to-day, when I was speaking at that time where the work has got to be done after the man puts eight hours in, I had in mind steamships—steam vessels. Now, the chairman of the board of steam navigation, Mr. Moran—possibly he is only interested in the one line of business, towboating. Now, every interest that has been mentioned here to-day with the exception of the conditions that exist on the western rivers and the turbulent waters of West Virginia I am familiar with. I have been a practical engineer and followed the business for 20 years as a marine engineer, a licensed marine engineer, and possibly five or six years previous to that acquiring the knowledge to become an operating engineer, after putting in an apprenticeship in a boiler shop. So far as overhauling the auxiliaries, there are certain of the auxiliaries that it is impossible to overhaul while you are operating. Take, for instance, the steering engine, the engine that steers the ship. There is a swell chance to overhaul the steering engine while the pilot is at the wheel; the wheel would spin around and make a sausage of him.

Mr. MORAN. Would not the same apply to the circulating pump?

Mr. DELAHUNTY. The same applies to the circulating pump.

Mr. MORAN. Mr. Chairman, Mr. Delahunt referred more particularly, as I gathered, that the principal object in requiring these additional licensed officers was because they want additional men in the deck department.

Mr. DELAHUNTY. No; absolutely. I am only about to show you—

Mr. MORAN. You made reference to that fact.

Mr. DELAHUNTY. No; but I do not want you to take it that way, Mr. Chairman; I want to call your attention to the inconsistency of the Inspection Service.

Mr. MORAN. Well, we will let it go; we won't delay the hearing.

**STATEMENT OF MR. WILLIAM S. BROWN, OF BUFFALO, N. Y.,
MARINE ENGINEER AND REPRESENTING THE GREAT LAKES
DISTRICT.**

Mr. BROWN. Mr. Chairman and members of this committee, I want to ask your indulgence for a few moments to state that I am not a lawyer. I want to relate to you my experience so that when I have finished my remarks you will know what I have stated has not come to me secondhand but from personal experience and observation.

For 29 years I have sailed on the Great Lakes during the season of navigation. During the closed season of navigation for many years I have sailed from the coast. I have followed up from coal passer, fireman, oiler, water tender, assistant engineer, to chief engineer. And particularly while I was assistant engineer I became acquainted with conditions that should not exist in the Great Lakes district. And they can be remedied by establishing the three-watch system. Gentlemen, I have known for a fact where a boat was operated with two engineers on a run of 72 hours consecutively for the time that I will speak of. When the second engineer went to call the chief engineer to go on watch, the man was dead in his bed, and there was not another man to take his place until that ship reached Duluth. Now those are records; it is not imagination on my part. That is only one instance of many.

The CHAIRMAN. How long ago has that been?

Mr. BROWN. It is about 20 years ago. [Laughter.] That is all right; I am talking about things I can vouch for.

The CHAIRMAN. I hope that condition has been corrected.

Mr. BROWN. They try to make a joke of anything we say here. We had the courtesy to show those gentlemen the respect we had for their statements.

Great stress has been laid there to-day, Mr. Chairman, about the impossibility of getting the men, the engineers, to establish a three-watch system. I want to say to you in all honest truth, that there are two engineers for every position to-day that there are jobs for; that is, for every position there is for a marine engineer, there are two engineers to fill the position.

The CHAIRMAN. You speak now with reference to the Lakes?

Mr. BROWN. I speak for the country at large. It seems to me that we hear these conflicting statements about these things, when in one of the bureaus of the Department of Commerce there is a record of every licensed engineer in the United States, and if they do not know it it is very strange. I know there are nearly 29,000 licensed marine engineers in the United States, and I know also the number of boats to supply with engineers; but I am not in a position to know just the number of engineers each boat requires. They require anywhere from one up to whatever I heard Mr. Higgins state this morning about the American Line—some 15 engineers I think it was.

I want to say also that I am gratified to see there is no opposition from the Great Lakes against the adoption of a system of three watches for engineers on the Great Lakes.

In regard to the 56-hour law, that has been covered so thoroughly by Mr. Delahunty, I won't dwell on that. I only want to say this, that the boats now on the Great Lakes are putting the engineers aboard of them of their own volition; that is, the managers are. There are engineers to establish three watches on the boats or a great many of them. But they will not put on the three watches; they will put two on one watch and one on another.

I do not know, gentlemen, that I have anything more to say, the question has been so thoroughly covered by our side.

I thank you.

FURTHER STATEMENT OF MR. BRUCE GIBSON, OF NEW YORK, N. Y., NATIONAL PRESIDENT MARINE ENGINEERS' BENEFICIAL ASSOCIATION.

Mr. GIBSON. Mr. Chairman, I will submit this decision of Judge Hough, of New York, for the record. It is in printed form.

(The decision referred to is as follows:)

IMPORTANT DECISION CONCERNING VALIDITY OF CERTIFICATES OF INSPECTION, UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK—UNITED STATES OF AMERICA V. STEAM TUG "UNION," HER ENGINES, ETC.—UNITED STATES OF AMERICA V. STEAMTUG "DALZELLINE," HER ENGINES, ETC.—FINAL HEARING IN ADMIRALTY; ACTIONS TO RECOVER NUMEROUS PENALTIES OF \$500 EACH SAID TO BE AUTHORIZED BY REVISED STATUTES, SECTION 4499, FOR VIOLATION OF REVISED STATUTE 4463, AS AMENDED BY ACT OF APRIL 2, 1908 (35 STAT., 55).

Mr. Pratt, assistant United States attorney, for libellant; Mr. Burlingham, for claimant.

HOUGH, D. J.:

For many years Title LII of the Revised Statutes has contained most of the statutory regulations affecting steam vessels of the United States.

The last two sections thereof (4499-4500) are general provisions regarding penalties for violations of any of the duties or requirements prescribed by the title.

Thus long prior to 1908 section 4499 declared that—

"* * * if any vessel propelled * * * by steam be navigated without complying with the terms of this title the owner shall be liable * * * in a penalty of \$500 for each offense, one-half for the use of the informer, for which sum the vessel so navigated shall be liable, and may be seized and proceeded against by way of libel."

Prior to the above-mentioned act of 1908 section 4463 was confined to a prohibition against passenger steamers leaving port without a full complement of licensed officers and crew.

By the amendatory act referred to the entire scope and meaning of this section was changed. There can be no doubt that such change was intended by Congress, for the act begins by stating that section 4463 shall "be amended so as to read"—and then follows an entirely new scheme of law.

That scheme is as follows:

"Any vessel * * * subject to the provisions of this title (i. e., LII) or to the inspection laws of the United States, shall not be navigated unless she shall have in her service and on board such complement of licensed officers and crew as may in the judgment of the local inspectors who inspect the vessel be necessary for her safe navigation. The local inspectors shall make in the certificate of inspection of the vessel an entry of such complement of officers and crew, which may be changed from time to time by indorsement on such certificate by local inspectors by reason of change of conditions or employment."

Then follow certain provisions for penalties against the master in the event of his failing to report deficiencies in the crew; but section 4463 as it now stands contains no penalty against owners.

In assumed compliance with the act of 1908 the local inspectors have devised the following system, apparently applicable only to tugs and similar harbor steam craft.

The usual license annually issued to such vessels contains a specification of her required crew, and there is always required a "double crew," i. e., a body of men from highest to lowest, sufficient to enable the vessel to keep going 24 hours out of the 24 with the men working "watch and watch."

This is the standard crew—the theoretical crew. But by an additional writing called an "indorsement" the inspectors provide that if the licensed vessel be not navigated more than 13 hours out of the 24, she is authorized to carry a "single crew," the evident expectation being that the officers and crew of such a vessel which does not work at night may be kept on duty (or at any rate on board the vessel) for 13 hours out of the 24 and no more.

The libels herein set forth that on many days the tugs have proceeded against, having on board but a single crew were navigated for more than 13 hours in a day of 24 hours.

Each day on such alleged unlawful navigation is made one cause of action, and a penalty of \$500 is demanded in respect of each day. There are more than 33 such

causes of action set forth, and the Government at the trial insisted on 28 penalties of \$500 each. The violations are said to have taken place in the year 1909.

The facts are sought to be proven by producing in some cases "log sheets," and in some cases a sort of log book kept by former masters of the tugs who have testified.

With exceptions unnecessary to mention, these records reveal the movements of the vessels from the time they left Congress or Pacific Street, Brooklyn, in the morning, until they returned there at night. It is shown how long the tug was occupied in helping or towing each particular vessel, how much time was spent in waiting for orders, how much in obtaining stores or water, and how much in going after a "job," as distinguished from doing it.

What is perhaps more important, these logs show during how much of the day the tug's propellers were turning over and how long the vessels were lying still.

From them it appears that in almost every instance claimed by the Government more than 13 hours elapsed from the time the vessels left their berths in Brooklyn until they returned there at night. But if there be subtracted from this period of absence from Brooklyn all time spent moored to a wharf awaiting orders and all time so spent taking on water, coal, or stores, the number of hours occupied in movement as distinct from rest is, in nearly every instance, less than 13; but there still remains, even after such deductions, at least one instance in which each tug was moving, i. e., not moored or anchored, for more than 13 hours in a day extending from midnight to midnight.

On these facts the following questions are presented for consideration:

1. Does the statute of 1908 authorize the action of the inspectors, and the system of licensing illustrated by the facts herein?

2. If such system be lawful, is a violation of it within the prohibition of section 4499? Or does section 4463 as amended lay down a complete system containing its own regulations and therefore exclusive of the earlier general prohibition of section 4499?

3. If the licensing system be lawful and section 4499 be applicable, what then is meant by the word "navigate," or "navigated"? Is a harbor tug navigated from the time her crew stand by in the morning until they quit work at night or is "navigation" in the sense of this statute to be limited to movement through the water?

4. Are the penalties authorized by section 4499 and sued for here cumulative?

First. It is not doubtful that the local inspectors could prescribe what crew these tugs should carry; nor that without the prescribed crew the tugs could not navigate. This power has been lodged in some administrative body ever since Congress began to legislate in respect of self-propelled vessels. It has often been objected to, but I am not aware that the objections have ever risen above the kind of grumbling adverted to in the Frank Sylvia (37 Fed. Rep., at 157).

If the local inspectors were entitled to declare the sort of crew that these tugs must have to navigate at all, it seems to me their authority was ample to prescribe the kind of crew with which navigation might be maintained for not more than 13 hours out of the 24.

To put the matter another way, the inspectors' authority is express to require "such complement of licensed officers and crew" as they think necessary for "safe navigation." Unless such complement be "in service and on board" the vessel shall not be navigated. But it does not follow from these words that the "complement" shall be always the same. A proper complement depends upon the requirements of "safe navigation." Therefore, the inspectors are not required to issue one single ukase; they may and must vary the crew if the requirements of navigation change, and no reason is seen why such variation may not be made in and as a part of the printed license as well as after special application. I am therefore of opinion that the so-called "13-hour indorsement" is within the express grant of section 4463 as amended.

Second. It is plain that Congress made the act of 1908 a portion of Title LII, Revised Statutes.

It was inartificial to insert the new act in chapter 2 of Title LII, for chapter 2 has for many years related only to "transportation of passengers and merchandise."

But courts can not base decision on a lack of symmetry in the statutes; the conclusive fact is that by the amendment section 4463 was made to cover not only vessels engaged in transportation of passengers and merchandise but any vessel of the United States subject "to the inspection laws of the United States." These tugs are certainly subject to the inspection laws, therefore they are subject to section 4463 as amended.

If the amendment to section 4463 contained a complete and rounded system of penalties or punishments for its infraction, the argument that section 4499 was not intended to apply would have great weight. Section 4499 is directed against the

property of an offending shipowner; it is intended to reach his pocket; while section 4463 as amended only punishes the master for its violation. Unless the intent of Congress is very plain or there is a glaring inconsistency between the two statutes, both must stand. There is certainly no apparent inconsistency, and in my judgment it is plainly the congressional intent that the owner should be punished by one section of the statute and the master by another. It follows that this action is well brought under section 4499.

Third. The difficulty of technically interpreting words having little or no technical signification is an old story. But with *mala prohibita* multiplying on every hand the supply of technical words seem to have given out, and crimes nowadays are described in popular and unstable language, even in the statutes. It is here contended that the words "navigation" and "navigate" refer to any movement or intended movement of the vessel for profit; while, on the other hand, it is insisted that they can only refer to times when (in the language of the Inland Rules of 1897) "she is not at anchor or made fast to the shore or aground." There are many cases in which the meaning of these words has been considered; they have been for the most part collated in "Words and Phrases," 4684 et seq. To the lists there contained may be added *The Aller* (73 Fed. Rep., 875); *The M. B. Grover* (92 Fed. Rep., 678).

These decisions show no more than that "navigate" and "navigation" have been construed with reference to the purpose of the statute and the apparent intent of the legislature. This must always be the case when nontechnical words are used. Yet such methods of construction have their pitfalls—and of a very dangerous kind.

On the one hand the judicial effort to carry out the legislative intent is sometimes no more than an opportunity of bidding for popularity; while on the other the statute may be destroyed by ascribing too vague and uncertain a meaning to the words employed.

In my judgment the purpose of the act of 1908 is plain on its face—it is to insure safety in navigation.

It is matter of common knowledge that safety in anything which requires human effort depends, in the last analysis on the human being. A weary man is infinitely more dangerous than a defective pipe or an obscured light, because he is unfit to discover the unfitness of the inanimate object.

To the inspectors, therefore, Congress confided the duty of deciding how many men were required to safely operate a vessel. With a double crew judicial notice is taken of the fact that the men would normally work, watch, and watch—in other words, that for 12 hours a day a man would be on duty. Such notice is also taken of the fact that in an emergency "all hands" would be called. But it is plain that a man should not be expected to work any longer in a single crew than he would as a member of a double crew.

There I think it a reasonable interpretation to hold that what the inspectors lawfully intended to accomplish by the 13-hour indorsement was to prevent the continuous occupation of men in navigation for more than 13 hours a day.

When this was the object, what is meant by "navigation?" In my judgment it covers the time when the tug was engaged in business. A man is engaged in the business of selling goods though he may not be selling anything at the moment; a man is engaged in the business of digging holes though he may at the moment be taking a drink or changing tools. In this particular case it is quite evident that the tugs were taken to Brooklyn overnight for the convenience of their crew, most, if not all, of whom lived in that borough. Probably my interpretation of the word "navigation" would exclude from the 13 hours the time spent in going to work and coming from work, just as a laborer is said to work so many hours per day, though it may take him some additional time to get to his place of work and to return therefrom at the close of his labor. It follows that in a considerable number of instances it is shown that these tugs were navigated for more than 13 hours in one day.

Fourth. The system of penalties now in force under chapter 2 of Title LII, Revised Statutes, is of a kind difficult to describe with calmness.

Under the facts here shown the masters of the tugs who are the witnesses by whom the Government has proved its case were subject to severe penalties (on the Government's own contention) day by day. The least penalty was \$50, the highest \$500 (sec. 4463 as amended). Thus the same facts lay a penalty upon the master and an equal or larger penalty upon the owner.

These penalties are now sued for after the lapse of nearly five years. The court is not told who was the informer, but the patent fact is that a master may for a deliberate violation of law inform against his owner and collect a qui tam action like this a substantial contribution toward the judgment against himself—if anyone believes that any such judgment will ever be sued for.

Indeed, penalties of the nature now before me can be created by the master deliberately running over the 13 hours, for section 4499 has no reference to intent. Such

a system is an invitation and incentive to what in popular parlance is called "black-mail." It is inequity and iniquity, and every reason adduced in *Griffin v. Inter-urban Street Ry.* (179 N. Y., 438) for holding the penalties noncumulative is here present. Where penalties are sought to be recovered on the criminal side of the court, the infliction of sentence on one count affords what is usually a reasonable mitigation, and suspension of sentence yields further relief. But the claim is here made that this court of equity has no option but to gratify some informer to the extent of confiscating about one good tug. If this be the intent of Congress, it must be so written and in so many words.

A decree may pass in each case for \$500, together with costs.

FEBRUARY 16, 1914.

Mr. GIBSON. The statement was made here a few minutes ago by an attorney who addressed the committee that he had no objections to anybody working in his office and working over 13 hours a day, or 15 or 16 or 17 hours a day. Neither would I, neither would any engineer, Mr. Chairman and members of the committee, provided we got the compensation that the lawyer can get. If I could get a thousand dollars for a week's work or possibly less, or two or three thousand dollars, I would not go to sleep at all, I do not think; but they lose sight of the fact that the engineer working these extra hours is not receiving any extra compensation whatever for his time, while to a certain extent it is only given partially to the ships while they are at sea.

It is also to be understood the extra work that he has to do when he is off watch, as it is termed, these auxiliaries Mr. Delahunty referred to, are not all in the engine room. In a large number of the ships, especially on the larger ones, the auxiliaries are placed in some other part than down on the working platform where the engineer is supposed to remain or be in close touch with. There are hoists on deck, there are dynamos, refrigerating engines, and others to be looked after, and the engineer is not allowed to leave his post of duty while he is on duty; that is, to go out of the engine room. The statement was made that there are oilers or firemen there. That is true; but if the engineer leaves the engine room and any accidents occur, whether it be to the ship or to the machinery and equipment, that man is subject to trial by the Steamboat-Inspection Service for leaving his watch when he is supposed to be on duty. They require a licensed engineer in that engine room at all times while the vessel is being operated at sea. Therefore he can not look after the auxiliaries while he is on his watch. And it necessitates after he has come off watch in the time that should be his own, he has so much extra work to do on deck or some other part of the vessel.

The statement was also made that this was probably an attempt by the organization to boost wages. I wish to say, gentlemen, that the organization of which I am the national head does not have as its members one-half of the engineers licensed in the United States; so you can not say we are trying to enforce legislation for our own members. It is only the conditions which have arisen in our observance which we say require attention and should be rectified. As far as the organization is concerned, it is true this organization is fathering this proposition and commenced it; but I want to say this, gentlemen, that before the Marine Engineers' Association was ever organized, before there was any labor organization, there were chambers of commerce and boards of trade, which are nothing else but unions that are formed for their mutual benefit, the same as we are. And if those gentlemen who are making this assertion will look back over

the history of the country they will learn that the foundation of the United States in which we all live was founded on a boycott. When in 1773 the colonists in Boston, Mass., went aboard the ships in the harbor and threw the tea overboard, which they considered was an unjust tax, it was a boycott on tea, and out of that grew the Federation and afterwards the Union of the States. And that is where we took our example, from the foundation of this great and glorious Union which we have and want to live in. That is what union is for, and we admit we are a union. The chamber of commerce is a union, the board of trade is a union, and the steamship associations are unions. They might call themselves something else, but that is what they are.

I wish to read now from the laws governing the Steamboat-Inspection Service this one paragraph, to show why an engineer or any other officer needs a certain amount of rest to recuperate from his duties on vessels:

SEC. 282. Every captain, engineer, pilot, or other person employed on any steam boat or vessel, by whose misconduct, negligence, or inattention to his duties on such vessel the life of any person is destroyed, and every owner, charterer, inspector, or other public officer, through whose fraud, neglect, connivance, misconduct, or violation of law the life of any person is destroyed, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both.

That is one contention that we feel that the statute should specify the minimum number of licensed engineer officers aboard of any vessel that the men might have the requisite rest and sleep. On the ocean craft, as I stated this morning, fully 80 per cent of the vessels already carry more or an equal number to those we are asking for. The certificates of inspection read a certain number of engineers and the law states in the discretion of the local inspectors. A local inspector may place one engineer on a vessel; he may place two or three or four; there is nothing to say how many shall be on those vessels. And we know of instances of vessels in like runs where one inspector says one engineer shall be enough and another one says there shall be three on a vessel of like character. That is why we are asking that a law be enacted stating the minimum number which we have asked for and which we think is conservative to be required.

In 1908, at the port of San Francisco, there was a difference arose between the steamship owners and the marine engineers regarding the same conditions. There was a lockout, and the steamboat owners sent a vessel to sea. This statement was made in our association and we afterwards verified it. The supervising inspector of the first district, who has now passed away, gave permission for the vessel to go to sea with one man aboard—one engineer. When they got to the other end of the run, they picked up another man and made him assistant engineer. Now, that vessel was at sea—in good weather it would take them about 18 hours to make that run. I ask you, is that justice, not to the marine engineer but to the traveling public or other vessels? If those who went on this vessel were satisfied to go with one engineer, how about the other vessels they were going to meet at sea in the same pathway they were probably? This man we know never kept awake 18 hours in the engine room; he had to sleep. Suppose in a fog—and that coast has lots of fogs—this vessel collided with another steamer and there was a loss of life simply because the man was asleep down in the engine room or

maybe up in a bunk and had left an irresponsible person there to take charge—that was the condition that was allowed. There is nothing to prevent a man doing that to-day, but if we had had a law enacted stating two or three men, or whatever was necessary, for that vessel, they could not have proceeded on the voyage with the insufficient number of engineers and possibly cause disaster that meant loss of life.

I just wish to quote once more from these hearings on the seamen's law in 1914. It was a statement by Mr. R. H. Swayne, of San Francisco; and I wish to state in preface to that that by the annual report of the Secretary of the Interior for the last year, in a portion of his report he comments on this matter of young America. He says:

I turn now from young America, the land that is undeveloped, to young America, our twenty-odd million school boys and girls; for these, after all, are our chief resource and our chief concern. Are we doing all possible to develop this resource?

In this hearing to which I have referred, Mr. Swayne in reply to a question, answers as follows:

There is just one other thing I should like to discuss. It has been asked here, "When is the American boy going to sea?" I do not think he is ever going to sea in the sense that has been suggested. But I will tell you what the American boy can do—he can design ships; he can build ships; he can become an engineer, the quartermaster, the mate, and the officer of these steamers, and he can get the trade for American ships.

Also a statement of Capt. I. N. Hibberd on this American boy:

Mr. HARDY. So that, after all, a good deal depends on whether the young man has any ambition to learn or not?

Mr. HIBBERD. Absolutely, you have struck it just right. And I want to emphasize what Mr. Shayne has said. I do not agree for a moment with those people who say that there is no opening for the American boy on the American ship. I think there is a splendid opening, and I hope to see the day when there will be as many American boys on the sea as there ever was.

Now, as it has been demonstrated in the past months by banking and manufacturing interests doing business with foreign powers that it was necessary to employ none but American born or that were strictly American and who have discharged numbers of their old employees on account of their nationality—for example, the National City Bank of New York, when they learned that their private business was being divulged and the names of their clients given to European powers at war—does it not behoove Congress to enact legislation to encourage the American boy to return to the sea that in the event of our going to war with any other nation—and God forbid that this should ever be—we would have patriotic Americans manning our ships and available for our Navy? Or is it better policy to discourage young America, fill our ships with cheap foreign labor, and if war should come be at the mercy of the enemy on the water, because we had no true Americans to place on our vessels to protect the flag?

Our Navy is not sufficiently manned, and especially in the engineer's department. The guns, ammunition hoists, hoisting of small boats, lighting of the vessel, propelling power of the vessel, is all generated and under the control of the engineers. Would you place foreigners in these important positions, where it is possible for one man to do damage that would result in the loss of the finest battleship in the United States Navy; or would you want to see an American boy with the red blood of an American in his veins doing the duty that belongs to an American? And where are you to get them? Only

from the merchant marine. And if you do not make his conditions as good or nearly so as he can get on shore, there is no incentive for him to follow the calling of the sea.

I just want to read from a little article in the Metropolitan, the issue of March, 1916. It states as follows:

The accident in the engine room of the *Arkansas* in the last war game, when a circulating pump "blew up," throwing the dreadnaught temporarily out of the game, was officially reported as the immediate consequence of the shortage of officers and trained men. Had this happened in battle the ship meanwhile might have been sunk by the enemy. And Admiral Fletcher's report truly says: "It is evident that, undermanned and underofficered, ships can not be kept in a state of preparedness and efficiency to meet on equal terms similar types in other navies."

A man employed in an office works eight hours a day, has a half holiday on Saturdays, his Sundays with his family, and an annual vacation with pay. The man going to sea practically works 24 hours a day, necessity compelling him to remain on board the vessel. He has no Sundays or holidays. In port he works nine hours a day and over, often violating the United States laws, which say nine hours shall constitute a day's work in port. If he lives up to the law and makes a demand for justice he is termed an agitator and loses his position. Having to work a part of the night and then sleep on board probably prevents his visiting his family, or but for a short time. That is an actual condition.

Now, with all of the talk that we hear about what they do in England, let me read what one British employer says. This was Lord Rhondda. It was taken from one of the morning papers dated London, March 10:

THROTTLED COMMERCE—LORD RHONDDA CRITICIZES RESTRICTIVE POLICY—INDUSTRIAL POPULATION NOW PRODUCING MORE PER MAN THAN BEFORE THE WAR; MUST CONTINUE TO DO SO TO WIN FOREIGN TRADE—APPROVES AMERICAN CUSTOM OF SCRAP-PING SECOND-RATE PLANTS.

LONDON, March 10, 1916.

Lord Rhondda, formerly D. A. Thomas, the Welsh coal magnate, discusses some after-war problems in a statement given to a British business magazine. He writes:

"We English have never sufficiently learned the truth, so well digested by the Americans, that it is better to scrap a second-rate plant than to keep on turning out second-rate material or even good material at an exorbitant cost. It should be noted that the Germans have followed American practice in this matter. They scrap not only their machinery, but their buildings, much more frequently than we. This is not a mistake. It is a farsighted policy which enabled the Germans to cut costs by using the most up-to-date plant.

"I am convinced that one cause of labor troubles in this country is lack of education in the administrators and executives who have to deal with labor. What education does teach a man, however else it may fall, is to appreciate his own ignorance, and to see that there may be not 1 but 50 points of view on any given question. The man who can not see the men's point of view, and has not enough imagination to place himself in the men's position, is never going to be successful in his efforts to cope with strikes and similar difficulties.

In a little pamphlet that was left in my office—I do not know anything about the organization, but I will quote from it; it seems to have pretty good American ideas—called the American Protective Tariff League, it says:

The league recognizes that the American people should not and will not submit to the low standard of wages prevailing in other countries; that this is a Government by the people and not one in which the people are subordinate to the governing powers; that the existence of the Republic depends upon the maintenance of a high standard of American citizenship, and that in all questions of public policy the advancement of the citizen takes precedence of every other consideration.

Now, Mr. Chairman and gentlemen of the committee, who has made it possible for the owners of the steamship companies to make the fabulous profits that are being made carrying cargoes and disposing of tonnage? Are the men running the motive power receiving any consideration for their part in making these profits possible? We note here the earnings of the United Fruit Co. This was a newspaper dispatch:

UNITED FRUIT EARNINGS LARGE—TWO MILLION DOLLARS INCREASE IN NET FOR FIRST FIVE MONTHS OF ITS CURRENT FISCAL YEAR.

Boston, March 10, 1916.

The United Fruit Co. continues to realize large earnings from its operations. For the five months of its current fiscal year, closing with February 29, the company realized a comparative increase in net from all sources of approximately \$2,000,000, which means an average monthly gain of about \$400,000, or \$100,000 per week.

On the basis of the record made in the first five months of the current fiscal year there are prospects that even if the company does no more than hold its own for the balance of the annual period the total net profits for the fiscal period ending next September will probably exceed the \$9,000,000 mark. This record has never before been attained, and will be equal to 18 per cent on the total of \$48,000,000 outstanding stock after the new financing, which has had for its purpose the conversion of \$12,000,000 notes into an equal amount of stock, has been successfully completed.

The United Fruit Co. has found its equity values in its fleet of 43 boats, comprising 208,297 tons, rapidly increasing in recent months. It is an interesting fact to know that the company has had an offer for two of its smaller steamers, both of which are 12 years old or more and which cost slightly over \$300,000 each to build. The offer involved a sum double the original cost of the vessels to the company, but it has not been accepted.

Now, those are the earnings, gentlemen, of a company which took advantage of the Executive order of September, 1914, and in a newspaper article I read yesterday they are now threatening this Government that if certain laws are not repealed they are going to place their vessels back under the British flag, and yet they are making that nice, fabulous profit by flying the American flag, which we are upholding for them.

The CHAIRMAN. I understand when they came under the American flag their officers demanded the American wage scale?

Mr. GIBSON. No, they did not. Did I understand you to say they paid the American wages?

The CHAIRMAN. I understood the officers demanded and received it.

Mr. GIBSON. In some cases they did and in others they did not. It is only a week ago on one of their vessels running into the port of New Orleans, that the company agreed to pay the American standard of wages. That was just the 1st day of April that they agreed to pay the American standard of wages.

Mr. DELAHUNTY. They dated it back to February.

Mr. GIBSON. I would just like, before I close, to read another little article from the pen of Col. Theodore Roosevelt:

Let us be frank with ourselves. Let us draw all the lessons that are to be drawn from the conduct of the war by the various belligerents. He is no friend of England who flinches from the fact of her failures in this war, and surely he is no true American who refuses to see our own shortcomings. It is now clear that the most decisive failures in England's conduct of the war have been essentially industrial failures, including especially failure in the necessary adjustments with labor. When the war broke out, there was a decided lack of confidence in labor by English employers, a fact—partly justified, and partly unjustified—whose explanation is to be found in the English industrial history of almost a century. The cooperation of labor was essential to the successful prosecution of the war in thousands of ways. It was needed to secure

the three essentials of war—men, munitions, and money. That cooperation could not be obtained by the employers themselves. It had to be secured through governmental action.

* * * * *

While asking all kinds of sacrifices from labor, the Government waited more than a year after the outbreak of the war before cutting down the huge war profits from capital

The CHAIRMAN. Have you anything further on this question? We might express some views ourselves in an academic way.

Mr. HARDY. I want to ask you one question, by way of reply, I think it was, to Mr. Tilley. He spoke about the Pittsburgh situation, and illustrated with a vessel which, he said, now had a crew, officers and all, of 78 men, and that this particular bill would add 50 per cent to that crew and they would not have room to house them or feed them, or anything of the kind. You remember his testimony along that line?

Mr. GIBSON. Yes; I recall it.

Mr. HARDY. Do you care to comment or reply in any way to that?

Mr. GIBSON. From my knowledge of those boats, I do not see where it would require an addition of 50 per cent of the men, nor any number of men. I suppose they carry at least two watches on those boats, anyway. Is the gentleman in the room who made the statement?

Mr. TILLEY. Two watches; yes. We would have to put another watch on.

Mr. GIBSON. When your boats are running, your men stand six hours on, or something equivalent to that?

Mr. TILLEY. Yes; six hours on and six hours off.

Mr. GIBSON. Then, how many days does it take to run down before they will stop?

Mr. TILLEY. If they go to New Orleans, probably 20 days or so. In some members of the crew it will make an increase of 200 per cent. We have one mate on the boat, and would have to have two mates. I do not know about the captain; we could not have three captains, because the captain remains all the time on the boat and before another man could become master of the vessel he must go to the customhouse and make oath he is the master of the vessel.

Mr. HARDY. I will ask you how this bill would add 40 persons nearly to the 78; they are not all engineers? What class of employees are they?

Mr. TILLEY. In the first place, it would add two mates; it would add one more pilot. For every pilot we carry on a boat of that class we carry a cub pilot—that is, a young fellow learning the business, who gets a salary and gets his board. It would add another engineer to the force. Each one of the engineers has a striker. That word “striker” means an assistant. It adds one more engineer and one striker. We have now two water tenders; it would add one more water tender. We have one mate and would have to have three mates—two more. We have one watchman. It is a question whether the number of watchmen would be increased or not. Probably the steward would exercise his functions the same. We have two cooks; we would have to have another cook. We have two flunkies; we would have to have another flunky. I do not know whether one chambermaid could take care of 78 or 100 men; possibly we would have to have another chambermaid. Possibly not

another carpenter and possibly not another blacksmith. But we have divided it into three watches and have three watches of licensed officers, and then the next step the firemen would ask for six more firemen——

Mr. HARDY. We are speaking about this bill.

Mr. TILLEY. I will allege, then, it will increase our firemen 50 per cent and the number of deck hands 50 per cent, who, of course, comprise a large part of the crew.

Mr. HARDY. It would increase the deck hands as well?

Mr. TILLEY. Sir?

Mr. HARDY. It would increase all the deck hands?

Mr. TILLEY. They would not be increased under this act here; no, sir. But that would be the next step.

Mr. HARDY. Have you figured out, when you said it would increase them 50 per cent, what it actually would increase them?

Mr. TILLEY. The licensed officers whom I have mentioned just now.

Mr. HARDY. I figured that as 11 men added, if I took it down correctly as you named them.

Mr. GIBSON. I would like to ask Mr. Tilley if this bill would affect the strikers. It would not affect the strikers, it would not affect the deck hands nor the firemen or any other of those other people enumerated.

Mr. TILLEY. We answer that by saying that would be the next step.

Mr. HARDY. I am talking about this bill, not some other bill.

The CHAIRMAN. I understand your position to be that if these men stand in three watches the other members of the crew would demand the same. You can not work part of the crew in two watches and part in three?

Mr. GIBSON. I will say, Mr. Chairman, on ocean-going vessels the sailors only stand in two watches. And I do not see why they could not on the river craft.

The CHAIRMAN. I am trying to get Mr. Tilley's viewpoint.

Mr. HARDY. I will state I understood Mr. Tilley to say that this bill would increase the crew of that vessel 50 per cent; that is the reason I am asking the question.

Mr. TILLEY. I modify that by saying it would lead to that increase; that is, it would actually increase the crew by 11, if they were tabulated correctly by you.

Mr. KINCHELOE. Mr. Gibson, I do not know anything about ocean-going vessels or coastwise, but I have not heard any good reason advanced by anybody, your side especially, why this law should apply to the inland rivers. Are you acquainted sufficiently to testify about that; are you acquainted with the operation of boats on the inland rivers?

Mr. GIBSON. I am to a certain extent. The reason we are asking for it—I thought that part of it was brought out—is the excessive hours the men are compelled to work now.

Mr. KINCHELOE. How many do you figure? What hours do you figure on the average the men work on boats that ply these inland rivers?

Mr. GIBSON. I could not state; but if they should work over 56 hours a week——

Mr. KINCHELOE. I say, on the average, how many hours do you figure they do work?

Mr. GIBSON. That would be a pretty hard question to answer.

Mr. KINCHELOE. I think I know something about inland rivers; as I say, I know nothing about the others. Is it not a fact that no packet nor tugboats that carry barges and things like that operate on the average over 16 hours in a day?

Mr. GIBSON. That is possibly true; yes.

Mr. KINCHELOE. They already have two pilots and already have two engineers and have two mates. Then they would not work but eight hours a day, on the average, would they?

Mr. GIBSON. That would be all if they tied up then; yes.

Mr. KINCHELOE. Then why should this bill apply to that character of business and force those operators of those boats to put on an extra pilot, an extra mate and an extra engineer, when those on there now on the average do not work over eight hours apiece?

Mr. GIBSON. The boats you have reference to—I take your statement to be correct, because I am not familiar with it—do work only 8 hours; but then here are numbers of other boats that work in excess of 13 hours a day.

Mr. KINCHELOE. I am talking about the inland rivers.

Mr. GIBSON. Yes.

Mr. KINCHELOE. I say on the average those boats on the inland rivers—I do not care whether it is a passenger boat or a passenger and freight combined, or a towboat—do not average over 16 hours of work in a day?

Mr. GIBSON. Here was an instance of a boat leaving Pittsburgh and going to New Orleans, and it takes 20 days to go there.

Mr. KINCHELOE. Oh, no; on the ocean, you mean?

Mr. GIBSON. No; on the Ohio River and the Mississippi.

Mr. TILLEY. I expected another Pittsburgher to follow me, but it appears he is not in the room. On account of the swift currents of the Ohio when these steamboats navigate, the fogs, and the bridges, they spend a good deal of the night lying up against the bank.

Mr. KINCHELOE. And don't fogs interrupt them?

Mr. TILLEY. Oh, yes; and they lay up during the whole night because it is dangerous navigating the swift current and the narrow bridge spans.

Mr. KINCHELOE. And then when they reach their destination at New Orleans, don't they lay at the dock there three or four days before coming back?

Mr. TILLEY. Quite a while; yes, sir.

Mr. KINCHELOE. Isn't there a line of packets from Cincinnati to Louisville, and is it not a fact the packets leave Cincinnati to go to Louisville and when they get to Louisville don't they lay there six or seven hours before going back?

Mr. TILLEY. That is true.

Mr. KINCHELOE. And don't they stop for fogs?

Mr. TILLEY. Yes, sir.

Mr. KINCHELOE. And do they not make a good many landings and lay there a whole lot of the time?

Mr. TILLEY. Yes, sir.

Mr. KINCHELOE. Take the towboats going up the Green River, in Ohio, for instance, with loaded barges in tow. Won't the boat spend perhaps three or four days without leaving?

Mr. TILLEY. Yes, sir; but they work the people in putting on the lumber and all on the boat.

Mr. KINCHELOE. But these engineers and mates are not worked!

Mr. GIBSON. Then I will say this bill will not affect them in any way whatever.

Mr. KINCHELOE. But what is the reason you want to make them have three crews instead of two?

Mr. GIBSON. Those boats going to New Orleans, if they are tied up for the night, there is no man there, if they have two watches, working in excess of 13 hours.

Mr. KINCHELOE. That may be an extreme case; but my question is, as a general proposition, is it not a fact if you take the packet lines, say, from Cincinnati to Louisville, Evansville, and Cairo, on the average they do not tie up for the night unless they get into a fog?

Mr. GIBSON. No.

Mr. KINCHELOE. And is it not a fact that on the average they do not run but 16 hours out of 24 in a day?

Mr. GIBSON. Yes; I believe it is.

Mr. KINCHELOE. Then why should they be burdened with an extra crew when they already have two pilots, two engineers, and two mates, and the men now work only eight hours a day?

Mr. GIBSON. As I see it, if they only work two watches, 16 hours a day, they would not be violating the law; that would only be 56 hours a week if they worked seven days a week.

Mr. KINCHELOE. I am talking about on the average. Some of those boats would just run enough longer than 16 hours to make them comply with this law and to have three crews?

Mr. TILLEY. If the conditions of navigation were ideal—of course when they get on the Ohio and Mississippi they try to keep going, but they are laid up for fogs and unusual occurrences.

Mr. KINCHELOE. Then is it not a fact that a private boat line on any of those rivers, that have no passenger trade, without they come there for pleasure or can not travel in any other way, but whose trade as a rule is nonperishable stuff—is it not a fact if those packet companies are compelled to have to put an extra crew on by reason of this, it will confiscate a whole lot of this packet line business and it will go to the railroads?

Mr. TILLEY. I believe, absolutely, they will have to go out of business.

Mr. DELAHUNTY. May I ask the gentleman in reference to the size of power those two engineers operate for 20 days?

Mr. TILLEY. The engines are compound engines, high-pressure cylinders. I think they are 28 inches in diameter. The low-pressure engines are 64 inches in diameter. You would have about 2,400 horsepower. They are longitudinal engines.

Mr. DELAHUNTY. They are double engines, are they?

Mr. TILLEY. Yes, sir.

Mr. DELAHUNTY. Well they certainly must feel proud of their jobs, two men operating that amount of horsepower for 20 days. Why,

I thought we were enjoying rotten conditions on the coast; but you have us skinned a dozen different ways.

Mr. TILLEY. Those engines work so easily that if it was not perhaps for something unusual occurring, they might go to sleep on the job. They just do the work themselves; the engineers do not do it.

Mr. DELAHUNTY. They might drop dead on the job, too.

Mr. GIBSON. I think that will be all I have to say, Mr. Chairman.

FURTHER STATEMENT OF MR. WILLIAM J. MURRAY, OF NEW YORK, N. Y.

Mr. MURRAY. Mr. Chairman and gentlemen, as one of the first speakers, we have heard many statements and misstatements, as has been mentioned here before. I have a copy here of the minutes of the national board of steam navigation, held in the city of Washington last December, the president of which must have realized that there was some justness in the passage of an eight-hour bill. And if you will permit me, I will read it. It is just a short paragraph.

There is also another bill that has been drawn and probably will be introduced in the course of a few days. This bill has been drawn and fathered by the Marine Engineers' Association which, if it passes, will compel every harbor boat that operates but 12 hours a day to carry not only a licensed master and engineer, but also a licensed assistant engineer. The prediction was made some years ago, we are coming to eight hours a day on steam vessels, and it is only a matter of a very short time before we come to it.

Now, that was agreed to by the president——

The CHAIRMAN. Whose language is that?

Mr. MURRAY. The president of the national board of steam navigation.

The CHAIRMAN. Who is that?

Mr. MURRAY. I believe it is Mr. Eugene F. Moran.

The CHAIRMAN. Well, he is not going back on it. [Laughter.] Go ahead.

Mr. MURRAY. I have made a few notes here this morning. I read that because I realized that Mr. Moran believes, or did believe at the time, that this law should be enacted.

Mr. MORAN. I will concede, Mr. Chairman, I did make that statement. I was predicting something we have contended against and we are here now contending against that prediction and against that bill.

Mr. MURRAY. The representative of the Iron Steamboat Co. of New York read a lengthy statement here in which he stated and produced evidence of having the signatures of the men as being opposed to this legislation. Several members of the Iron Steamboat Co. came to our office, which is the pilots association of New York, and showed us the letter that they had received from the steamboat company and asked our opinion. We gave it to them, of course, and told them not to answer it. But they were afraid if they did not answer favorably to that company they would not get their positions when the season opened.

The statement has been made here also that the master would have to be on the boat. We would have to have three masters, and therefore papers would have to be signed for three men. That also is erroneous, as the master, as long as he sees or is on his boat within 24 hours, the law is covered. It was also referred to here that con-

tinuous service—that it was not continuous service unless you were in active operation all day. We claim of course, that the man reporting for duty and having to stay there is in the owners' hands the entire time. The president of the national board of steam navigation took first exception to my remarks this morning, saying that the men did not get a day off. I will concede that to Mr. Moran, because he is one of the men who realizes that the men should have at least a little bit of time off.

The next speaker called was the New York Central man, the best paying line perhaps in New York. That, of course, was for the impression that it would have on the committee. The statement has been made that perhaps I had something else to make me dizzy when I was operating that boat in the North River. However, Mr. Chairman, there is no man living can accuse me of that, and I have no fear; and I will say this for the benefit of our friend from Newburgh, that it is a positive fact that a man who lives in Newburgh has often dropped back and fell behind the pilot-house locker exhausted, coming down the North River, through the Highlands to New Jersey; and every time that man has offered to quit his job his salary has been raised, because they want to keep him. Those are the conditions before him on the inland waters, and the boats go 20 and 25 miles an hour through the thickest fog at all times; and if the men don't do it they lose their jobs.

Now, I say, Mr. Chairman (and I probably will not have another say), that this is the only committee to whom we can appeal, and I make an appeal to you for justice, because you alone can say that justice shall be given.

I thank you.

Mr. MORAN. One word in reference to Capt. Murray's statement that they concede that unless the boat is in actual operation the two licensed men are not required. It is a matter of record in the local inspectors' office in New York that we had to take the Sandy Hook tow out when the Government barges were loaded with the guns which they have for testing. They left New York at 2 o'clock, supposing under ordinary conditions which would happen, they could make the round trip in eight hours. They arrived at Sandy Hook, when a storm set in and stayed there until 11 o'clock that night, and the captain said he wanted to make a start at 5 o'clock in the morning, and the fires were banked and the entire crew turned in, and they arrived in New York the next day at 10 o'clock, and about 12 a colored steward on the deck filed a complaint in the local inspector's office because there was only one kitchen on the boat. That is a matter of record.

FURTHER STATEMENT OF MR. FREDERICK A. BISHOP, OF NEW YORK.

Mr. BISHOP. This gentleman says at the Pilots' Association, that he told them all not to reply to my communication, and they did so simply because they were afraid I would not employ them during the coming season. We employ eight pilots. Of the eight, I have heard from five; one in the service 21 years, who says:

I am not in favor of the bill known as H. R. 8036, which amends section 4463 of the Revised Statutes, being enacted into law, and I am entirely satisfied with existing conditions.

Another pilot who has been in our employ seven years says, referring to bill H. R. 8036:

I do not think that it is right to apply to any of the Iron steamboats, etc.

Another who has been in the employ of the company for three years, on the fishing boats, says:

I am satisfied with existing conditions.

The CHAIRMAN. Will you give his name?

Mr. BISHOP. Do you want the names?

The CHAIRMAN. Yes.

Mr. BISHOP. Louis Hahn, pilot on the steamer *Tourist*; Richard Arnold Herring, pilot on the steamer *Great Republic*, seven years; Arthur R. Clayton, pilot on the steamer *Signus*, in the employ of the company 21 years.

I think that the footnote to my request for this information would dispel any idea in the mind of any man working in my employ that I had any desire to deprive him of his livelihood. It simply means if this bill becomes enacted into law that the excursion boats would have to stop operating. It also means if this bill was enacted into law that the system we have employed on the Iron Steamboat Co.'s boats that gives me the hearty support of the men working under me, would have to cease and we could not keep the men, could not pay the deck and fireroom men on a six months' wage basis, but could only pay them for 110 days, which is the time they work, the same as factory hands.

Now, lots of the men in this association knew nothing of this bill until it was called to their attention. To my communication to those men out of town, dated the 27th day of March, I have not received word from all of them yet; but if the committee so desires I will file with them the entire blanks and correspondence. I will even go further than that; I will let you appoint a committee to see if I have intimidated anyone, and I say I have the hearty support of the men working under me, irrespective of whatever the organization may be aware of.

Mr. MURRAY. May I say something in justice to the representative of the Iron Steamboat Co. I do not make any inference of any nature that he had any malicious intent in sending the circular out; it was simply the fear the men had.

Mr. BISHOP. I got five out of eight.

Mr. MURRAY. I know, but there are men in your companies who signed those letters because of fear that perhaps they might not get their positions back.

Mr. BISHOP. There are two of them who signed and said they were in favor of the bill and gave their reasons.

Mr. MURRAY. We have had that here a good many times in Washington.

Mr. BISHOP. I stated that in my former statement that two pilots said so. To-day we have eight captains, eight mates, and eight engineers, and two were opposed to it. They are the only two out of those which I have heard from.

FURTHER STATEMENT OF MR. H. R. O'DELL, OF NEW-BURGH, N. Y.

Mr. O'DELL. Capt. Murray has seen fit to raise a question here in connection with the line which I represent. In fact, he makes an absolute statement. Now, if the rest of his statements which he has made have as little basis in fact as the one he just made regarding our line, I do not think his information should have very much weight. I have been connected with the company since 1903.

The CHAIRMAN. What company is that?

Mr. O'DELL. The Central Hudson Steamboat Co.—the Newburgh line. Capt. Murray says that during that time one of the pilots who runs the Newburgh boats has threatened to resign as a result of falling exhausted on the locker. I wish to say none of them have resigned. One of them has been pensioned—one who had been on that run for over 30 years. The captain of the other boat has been on the boat since she was built, in 1887. They are men who have grown up in the service, who have taken their places and have been there constantly ever since they received their papers, and neither of them have resigned. Perhaps some of our men have resigned from other positions, and I know, as a matter of fact, we have a man who has resigned since I have been connected with the company and has at different times come back for reinstatement.

Mr. MURRAY. I will further say in support and in proof of my statement that we have it over the signatures of the men.

Mr. GIBSON. With your permission, Mr. Chairman, I would like to submit some figures of comparisons between foreign steamships and American steamships, with the complement of engineers carried. It has often been used as an argument that the foreigners do not carry the number of men on their ships that the American boats do, and I would like to file this and have it printed in the record.

(The statement submitted by Mr. Gibson is as follows:)

The following comparisons were taken from a newspaper article, which stated that the figures given were furnished by Robert Dollar:

American steamship *Algoa*, 7,575 gross tons: One chief engineer, one first assistant engineer, one second assistant engineer, and one third assistant engineer.

Japanese steamship *Asama Maru*, 4,217 gross tons: Four engineers.

British steamship *Ninian*, 6,385 gross tons: One chief engineer, one second engineer, one third engineer, and one fourth engineer.

American steamship *Hawaiian*, 5,597 gross tons: One chief engineer, one first assistant engineer, one second assistant engineer, and one third assistant engineer.

All vessels of the American Hawaiian Steamship Co., ranging from 5,404 tons to 8,671 tons and from 3,000 indicated horsepower to 5,600 indicated horsepower, carry one chief engineer and three assistant engineers.

American steamship *Stanley Dollar*, 1,838 gross tons, 850 indicated horsepower: One chief engineer, one first assistant engineer, one second assistant engineer, and two Scotch marine boilers.

British steamship *Azov*, 2,332 gross tons, 850 indicated horsepower: One chief engineer, three assistant engineers, and two Scotch marine boilers.

British steamship *Pectan*, 2,700 indicated horsepower: One chief engineer, three watch engineers, and six Scotch marine boilers.

The above all burn oil as fuel.

Norwegian steamship *La Habra*, 3,000 horsepower: One chief engineer, three assistant engineers, and four boilers.

Norwegian steamship *Thor*, 2,500 horsepower: One chief engineer and two assistant engineers.

American steamship *China*, 5,060 gross tons, 5,500 indicated horsepower: One chief engineer, one first assistant engineer, one second assistant engineer, and one third assistant engineer.

Steamship *Oceana*, under German and British flags, 14,500 tons: One chief engineer, one first assistant engineer, two second assistant engineers, four third assistant engineers, and four fourth assistant engineers.

American steamship *General Hubbard*, 2,183 gross tons, 1,250 indicated horsepower: One chief engineer, one first assistant engineer, and one second assistant engineer.

American steamship *Navajo*, 2,755 gross tons, 1,500 indicated horsepower: One chief engineer, one first assistant engineer, and one second assistant engineer.

British steamship *Elsinore* (lost); One chief engineer, one second assistant engineer, one third assistant engineer, and one fourth assistant engineer.

FURTHER STATEMENT OF MR. FRED B. DALZELL, OF NEW YORK, N. Y., REPRESENTING NEW YORK HARBOR TUG-BOAT INTERESTS.

Mr. DALZELL. I was promised by the vice chairman, in your absence, that I would be allowed one further word of testimony to what I have given. It is short.

The men in our employ, our licensed officers, receive one week's vacation during the year with full pay, and upon a statement at the end of the year that they have not done to exceed \$200 damage during the year they get a bonus of \$100. I mention this to show that we appreciate the services of our men and are willing to compensate them for it. We have one captain who went deck hand on one of my predecessor's boats, when I was located at the office where I am now; and he is there still, as commodore captain. We have another who has been there for 24 years; another 20 years; another 15; and I think the one who has been the most recent in our employ is a little less than a year. So far as I know, they are all satisfied with me, and, so far as I can judge, I am satisfied with them, so long as they attend to their business, which they try to do.

I would like further to make the remark in regard to this reference that has been made to the decision of Judge Hough in the 13-hour case. The decision will speak for itself. I read a paragraph from it where the judge said intent must be shown, and it offered a wonderful opportunity for blackmail. The man who committed this offense did it without our knowledge or consent. I had occasion to discharge him for insubordination and he said: "I will get hunk with you." And his labor union then made this complaint of the several violations, and there had been so much agitation existing as to the relative merits of this bill that we thought it best to have a legal decision of the matter. The question was what did the word "operate" and what did the word "navigate" mean. And we wanted a ruling upon it. Judge Hough gave his decision which you have before you, and we can find no fault with it. The same law, however, that fines the owner \$500 fines the master \$50; and in his decision the judge points out that it had not been brought to his notice who the informer was; therefore he could not deal with the fine of \$50 to the master. He simply fined the owners \$500 on each count.

Within 48 hours, or within at least a week, the master of this tug who committed the act without our knowledge, and after we had paid the fine of \$1,000 to the Government, the Treasury Department sent him a check for \$500, or one-half of the fine that we paid.

Mr. HADLEY. Mr. Chairman, a few moments ago Mr. Gibson introduced into the record a statement I have not seen and which the committee has not seen. I understood from his statement it purported

to be a showing of the complements of men, respectively, on foreign and domestic vessels. Now, if that is to be of any service to the committee, either on this matter or anything else before it, I think it ought to be properly authenticated. I would like to know the source of the information and have it properly identified.

Mr. GIBSON. I will say there is one comparison here I took from a statement in a newspaper furnished by Capt. Robert Dollar, who was comparing the American steamship *Algoa*, the Japanese steamship *Asama Maru*, and the British steamship *Ninian*. And these are figures he gave. His argument in the newspaper article was on wages. He states the number of engineers carried. Those are the figures he gave.

Then I have also quoted the American Hawaiian Steamship Co., which can be verified, and then made a comparison of the American steamship *Stanley Dollar* with the British steamship *Azov* and the British steamship *Pectan*, on the Pacific coast. The *Pectan* is larger than either of the other two I have quoted and carries engineers—in fact, the two British boats, the *Azov* is a vessel of a little larger tonnage than the *Stanley Dollar*, but the same indicated horsepower, and carries one more engineer than the American steamer *Stanley Dollar*. Now, these I verified when I got this information. The superintendent of the engines on the boat called me over to the Union Iron Works, in San Francisco. He knew I was after some data. I got this two years ago. He took me aboard and I saw the chief and he was getting the American wages, and the three assistant engineers that were with him were all British certificated men, and they carried one more man in the engineers' department than the men on any American vessel of her class, and carried one engineer more than the steamer *Stanley Dollar*, which has the same horsepower.

Then, the other comparison is of the Norwegian steamship *La Habra* and another Norwegian steamship, the *Thor*. The *Thor* only carries three engineers and the *La Habra* carries four. Then I took the American steamship *China*, which carries four engineers, and that is a larger vessel than the *La Habra*, which is carrying four. Then I took the steamship *Oceana*, not under the American flag, but then under German and British flags. She carried only 12 engineers. I then made the same comparison with the American steamship *General Hubbard*, which only carried three; the American steamship *Navajo*, which only carried three; and the British steamship *Elsinore* (which is now lost), which carried four.

Mr. HADLEY. The comparisons speak for themselves; I merely wanted to know the source of the information.

Mr. MORAN. I would also like to know whether or not Mr. Gibson is in a position to say that those engineers on the foreign ships are duly licensed engineers by their respective boards of trade or duly licensing power?

Mr. GIBSON. I can not say for them all; but on the *Azov* that I quoted I do know, because the chief engineer introduced me to his three assistants and told me in the presence of Mr. Frank H. Evers, of San Francisco, who was superintending engineer on the vessel, that they were all certificated and he was receiving \$150 a month then; and, in fact, he took me all through the engineer department; took me down in the engine rooms and showed me the engines and boilers. They were in the charter of the Union Iron Co.

The British steamer *Pectan* I can verify as carrying certificated engineers. She is in the charter of the Union Iron Co., of San Francisco. I have been aboard that vessel several times, and I will state also to the committee there have been times when the *Pectan* could not get a British certificated engineer, and they called upon our association at San Francisco for an engineer and took him before the British consul and he was given permission, on account of inability to get British certificated engineers, to sail on the boat. So far as an American licensed engineer, there is no license issued by this Government on a chartered boat. I am only taking the statement that was published, given by Robert Dollar. On the *Algoa* I know they carry licensed engineers, and on the British steamer *Ninian* and the Japanese steamship *Aasma Maru*. I can not say they are all certificated, but I presume they were because he used them in comparing their wages with our wages.

Mr. HIGGINS. Does your scale give the full engine-room crew?

Mr. GIBSON. No. I believe this article by Capt. Dollar did; but as our bill is only dealing with the engineer officers I did not take all the engineers crew; I only took the number of engineers carried.

Mr. HIGGINS. In one statement there you made, you stated that the British ship carried one more engineer than the American ship.

Mr. GIBSON. Yes; that is the *Azov*.

Mr. HIGGINS. Is it not a fact that probably the British ship did not carry oilers?

Mr. GIBSON. No; they did carry oilers.

Mr. HIGGINS. They carried one-fourth engineer to do the deck work and oiling of machinery that you referred to?

Mr. GIBSON. No; she did carry oilers. I think I can give you the full crew of that vessel. This was the crew of the British steamer *Azov*: One chief engineer, three licensed assistant engineers, three oilers, three firemen, one donkeyman, and one pump man. On the *Stanley Dollar*—

Mr. HIGGINS. She was an oil-tank vessel?

Mr. GIBSON. An oil-tank vessel; yes. She was carrying fuel oil for the Union Iron Works, of San Francisco. On the *Stanley Dollar*, which had the same horsepower, there were one chief engineer, one first assistant engineer, one second assistant engineer, and two oilers. The British steamer was more fully equipped in the engine room than the *Stanley Dollar*, which had the same horsepower, although the *Azov* has a larger tonnage.

Mr. HIGGINS. But she was not an oil-tank ship?

Mr. GIBSON. Oh, no; a cargo carrier.

Mr. HIGGINS. Therefore she had no need for an oil pump, because she did not carry oil.

Mr. GIBSON. No. She had a donkeyman, who worked in the engine room. The pump man was there on account of carrying fuel oil. I did not make any statement of those men, because I was only taking the engineers carried for this reference to the committee.

Mr. HARDY. At the time you made this comparison there was no law fixing the number of those employees on either the English or American vessel, was there?

Mr. GIBSON. No.

Mr. HARDY. So that it was just a question with the owner, whether he was English or American, as to how many men he would put on?

Mr. GIBSON. The only time, Mr. Hardy, we put anybody on the English vessel was at their request.

Mr. HARDY. I mean those vessels were operated with crews furnished voluntarily and regulated by the owners?

Mr. GIBSON. Yes, sir; voluntarily.

Mr. HARDY. And the Englishman is as apt to be as liberal as the American?

Mr. GIBSON. Yes. These were voluntary.

FURTHER STATEMENT OF MR. A. G. STILES, OF NEW YORK, N. Y., COUNSEL FOR THE MASTERS, MATES, AND PILOTS' ASSOCIATION.

Mr. STILES. There is just one matter I wanted to call to the committee's attention. It was stated here that the purpose of this bill was to create new positions. Now, that is not the purpose of the bill. The purpose of this bill is to improve the conditions for the men that occupy them. The natural result, of course, would be that some new positions would be created; not such a large number, however, as those opposing this bill would lead you to believe. We mentioned licensed deck hands, but we did not mention them as desiring that positions be created for those licensed deck hands, but simply as calling the fact to the attention of the committee that there have been a large number of licensed men holding positions as deck hands who are available to fill any positions that may be created if such an act as this is passed.

In addition to that, I might say if the hours are shortened, it would make the positions more desirable, and the natural and inevitable result would be that men would come to this steamboat work—men now engaged in other lines of employment; because this line of employment would become more popular and a larger number of men would apply for licenses, just the same as in any other line—if it is made attractive, they will come to it; but if it is made so abhorrent, as it is almost at the present time, they will leave the employment. And the very fact that there is such a scarcity of men or if there was such a scarcity of men as those opposing this bill would try to make you believe, is simply a reflection upon the employers as showing because of the adverse conditions on the boats that the men did not care to seek employment in that work. If the employment is made more attractive, more men will come to it.

Mr. MORAN. Mr. Chairman, as long as we are going to continue the talk we will continue to have controversy.

The CHAIRMAN. There ought to be a last word somewhere, and I suppose as they are the proponents of the bill they ought to have the last word.

Mr. MURRAY. I want to record the number of men here against it. I might say for all of our association the men did not know in the different harbors throughout the country of this bill coming up; otherwise we would have had a larger representation.

The CHAIRMAN. We are not counting noses; we are weighing arguments.

Mr. MORAN. In order that we may have no more controversy and the committee may go to their respective duties, we will close our case.

(The list above referred to by Mr. Moran is as follows:)

REPRESENTATIVES OF STEAMBOAT INTERESTS AT HEARING BEFORE THE COMMITTEE ON
MERCHANT MARINE AND FISHERIES.

E. F. Moran, president, National Board of Steam Navigation; N. L. Cullin, general agent, Associated Marine Departments; E. A. Burnside, the Campbells Creek Coal Co., Great Kanawha River Improvement Association; J. Frank Tilley, Pitts' urgh Coal Exchange; W. E. Bernard, Philadelphia towboat interests; Walter B. Pollock, manager, marine department, New York Central lines, New York City; F. B. Dalzell, Dalzell Towing Co., New York City; J. M. Emery, manager, marine department, Delaware, Lackawanna & Western Railroad, New York City; C. R. Stewart, manager, marine department, Erie Railroad, New York City; J. H. Clark, manager, marine department, Baltimore & Ohio Railroad, New York City; D. C. Chase, superintendent of Pennsylvania Railroad tugs, New York City; C. R. Carroll, superintendent of Pennsylvania Railroad ferries, New York City; E. Van Name, superintendent of Fort Lee ferries, New York City; Edward Wakelee, Bergen Point Ferry Co., New York City; E. Stavey, secretary Boat Owners' Association, New York City; D. J. Conroy, Bronx Towing Co., New York City; J. Ruggie, Bronx Towing Line, New York City; H. Dolgie, Harlem River Towing Line, New York City; J. G. Conway, Stanwood Towing Co., New York City; F. A. Russell, Newtown Creek Towing Co., New York City; F. A. Egerton, Egerton Towing Co., New York City; A. W. Knight, Knight Towing Line, New York City; G. F. McCaffrey, McCaffrey Towing Line, New York City; J. G. Keller, Hudson Tow Boat Co., New York City; H. H. Frost, Frost Towing Line, New York City; V. E. Downer, Vierow's Towing Line, New York City; Isaac Buchanan, superintendent, marine department, L. & W. B. Coal Co., New York; F. A. Bishop, president, Iron Steamboat Co., New York; J. S. McLoud, Merrick-Chapman Wrecking Co., New York; C. L. Addison, superintendent, marine department, Long Island Railroad Co., New York; Arnon L. Squiers, Moore Transportation Co., New York; Mr. Webster, superintendent, marine department, Mallory & Clyde Line, New York; H. Higgins, superintending engineer, Old Dominion Line, New York; Mr. Hibble, superintending engineer, Southern Pacific Steamship Co., New York; Charles C. Hahl, Coast Transit Co., New York; Charles E. Davis, jr., Red Star towboats, Philadelphia, Pa.; Charles Gring, towboat and barge transportation, Philadelphia, Pa.; F. W. Munn, Munn Towing Line, Philadelphia, Pa.; O. H. Hagerman, shipping freight agent, Philadelphia & Reading Transportation Co., Philadelphia, Pa.; C. Stewart, superintending engineer, Philadelphia & Reading Transportation Co., Philadelphia, Pa.; H. C. Felton, superintendent, Delaware River Ferry Co., Philadelphia, Pa.; Charles Greer, superintendent, Philadelphia & Camden Ferry Co., Philadelphia, Pa.; C. Halyburton, towing, Philadelphia, Pa.; James Hughes, Hughes Towing Line, Philadelphia, Pa.; W. E. Bernard, Bernard & Samsel Towing Line, Philadelphia, Pa.; Willard M. Harris, Delaware River Transportation Association, Philadelphia, Pa.; George D. Van Sciver, Hainsport Mining & Transportation Co., Philadelphia, Pa.; Gloucester Ferry Co., Philadelphia, Pa.; P. F. Martin, Marting Towing Line, Philadelphia, Pa.; Capt. Moren, The Fuel Co., Pittsburgh Pa.; W. Elsey, Vestor Coal Co., Pittsburgh, Pa.; A. V. Shepherd, Jones & Laughlin Coal Co., Pittsburgh, Pa.; Mr. Stouvenbach, Diamond Coal Co., Pittsburgh, Pa.; J. Frank Tilley, Pittsburgh Coal Exchange, Pittsburgh, Pa.; M. Nickerson, Boston Tow Boat Co., Boston, Mass.; George H. Wooley, Commercial Tow Boat Co., Boston, Mass.; Chauncey L. Whiting, Nantasket Steamboat Co.; Horace Wilson, Wilson Line, Wilmington, Del.; Capt. John Hammond, Staples Tow Boat Co., Fall River, Mass.; H. R. Odell, jr., Central Hudson Steamboat Co., Newburgh, N. Y.; P. Dougherty, Dougherty Towing Line, Baltimore, Md.; Charles W. Lewis, Lewis Towing & Lighterage Co., Baltimore, Md.; Howard Hubbard, Maryland Transportation Co., Baltimore, Md.; James Gorman, Atlantic Transport Co., Baltimore, Md.

(Thereupon, at 4.45 o'clock p. m., the chairman announced that the hearing was closed.)

TO REGULATE THE OFFICERING AND MANNING OF VESSELS

SUPPLEMENTARY TELEGRAMS, LETTERS, AND BRIEFS

FILED WITH

THE COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

HOUSE OF REPRESENTATIVES
SIXTY-FOURTH CONGRESS
FIRST SESSION

ON

H. R. 8036

APRIL 29, 1916



WASHINGTON
GOVERNMENT PRINTING OFFICE
1916

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES.

HOUSE OF REPRESENTATIVES.

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RUFUS HARDY, Texas.

MICHAEL E. BURKE, Wisconsin.

EDWARD W. SAUNDERS, Virginia.

PETER J. DOOLING, New York.

HENRY BRUCKNER, New York.

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GEORGE A. LOUD, Michigan.

LINDLEY H. HADLEY, Washington.

FREDERICK W. ROWE, New York.

J. C. BAY, *Clerk.*

OFFICERING AND MANNING OF VESSELS.

[Telegram.]

CHICAGO, ILL., April 6, 1916.

Hon. JOSHUA W. ALEXANDER,

Chairman Merchant Marine and Fisheries Committee,

Washington, D. C.:

Lake Michigan Passenger Lines Association membership, comprised of all important passenger and package freight steamboat lines on Lake Michigan, emphatically refutes any statement to effect that they are not opposed to three-watch system on the Great Lakes. We are emphatically opposed to any three-watch system. Had been advised H. R. 8036 did not apply to Great Lakes.

H. W. THORP, *Chairman.*

[Telegram.]

BUFFALO, N. Y., April 7, 1916.

Congressman J. A. ALEXANDER,

Chairman Committee on Merchant Marine and Fisheries,

Washington, D. C.:

In connection with hearing on engineers' bill, three-watch system, we understand engineers' delegate, Brown, advises committee that the Lakes are in favor of same. This is not so. No one here favors any legislation to further cripple the merchant marine of the Great Lakes except engineers, whom bill favors. The lumber fleet are in a bad position now on account of seaman's bill as well as seamen themselves. We hope you will not favor any further legislation of this kind until you can see the effect of past legislation. Please advise if there is to be any further hearings; also if convenient, please send me copy of bill to 2431 South Lincoln Street, Chicago, Ill. Here at Statler Saturday.

W. D. HAMILTON,

Secretary Lumber Carriers' Association.

PHILADELPHIA & READING RAILWAY CO.,

Philadelphia, April 3, 1916.

Hon. J. W. ALEXANDER,

Chairman Committee on Merchant Marine and Fisheries,

Washington, D. C.

DEAR SIR: This company, under the trade name of the Philadelphia & Reading Transportation Line, operates 12 seagoing tugs, varying in tonnage from 200 to 420 tons, and 66 barges. Coal is loaded in these barges at Port Richmond, Philadelphia, and they are then towed via harbor and ocean to Boston, Mass., and other New England points.

It is also operating four harbor tugs engaged in harbor-towing service at the port of Philadelphia, varying in tonnage from 113 to 137 tons.

The seamen's act, which provides that firemen, oilers, and water tenders, while at sea, shall be divided into at least three watches, became effective November 4, 1915, and increased the pay rolls of this seagoing fleet \$15,593.76 annually.

This bill, H. R. 8036, provides, as will be noted on page 4, that every vessel of 100 gross tons and under 200, propelled by machinery and engaged in trade,

which requires the time to make the passage from the port of departure to the port of destination in excess of 24 hours, shall have two licensed assistant engineers. This will affect all of the 12 seagoing tugs operated by this company and will involve an additional operating expense of over \$12,000 annually.

Additional men per boat:

1 assistant engineer, at, say, \$75 per month-----	\$75	
Provisioning, \$15 per month-----	15	
		\$90
Additional men for the 12 tugs operated, per month:		
12 assistant engineers, at, say, \$75 per month-----	900	
Provisioning 12 men, at \$15 per month-----	180	
		1,080
For the 12 tugs per year-----		12,960

In placing the rate at \$75 per month, this is presumably the lowest minimum that we would be able to secure a second assistant licensed marine engineer, for the rate that we would have to pay would probably be higher than that, although in figuring the \$75 rate we have used the ratio that obtains between the first and second mates now employed on our tugs, which is \$92.75 and \$75 per month, respectively, for these classifications of labor.

In addition to the increased operating expenses, account of wages for the additional assistant engineer, we will be at considerable expense in providing quarters for the additional man on each tug, as space was not afforded in the original construction of the boats for any more crew than they now carry, and in the case of our tug *International*, it will be next to an impossibility to provide quarters for an additional man.

This proposed addition of licensed second assistant engineers on tugs of 200 gross tons and less than 1,000 gross tons engaged in coastwise towing is merely a renewal of agitation that was started in the year 1900. At that time it was determined by the Supervising Inspector General, Gen. George Uhler, of the Steamboat-Inspection Service, that the seagoing tugs of this company did not require three engineers. The conditions of service of these vessels have not changed since that time, so that there is no reason now for the placement of a second assistant engineer on them. There is now a complement of officers and men aggregating 21 men on each tug.

The scarcity of licensed men, both for deck and engine-room equipment, is already one of the most serious obstacles to the operation of vessels that owners have to contend with, and if the proposed enactment becomes a law it would merely add an ever-increasing burden without any compensating advantages to the vessel owners.

Harbor towing service, port of Philadelphia.—The second clause of section 4 of the proposed amendment provides:

"That every such vessel shall have in her service a sufficient number of licensed officers so that no one of them shall be required to be on watch more than fifty-six hours in any one week, nor more than thirteen hours in any one day of twenty-four hours, from midnight to midnight."

This would necessitate the following additional licensed and unlicensed men on our fleet of harbor tugs:

	Per year.
Four captains, licensed, at \$466.40 per month-----	\$5,596.80
Four engineers, licensed, at \$419.76 per month-----	5,037.12
Four fireman, not licensed, at \$239.03 per month-----	2,868.36
Twelve deckhands, not licensed, at \$699.60 per month-----	8,395.20
Total (\$1,824.79 per month)-----	21,897.48

In the harbor tug service, working on tidal conditions, such a regulation, Federal or otherwise, would not be practical of application. The proposed regulation would require 8-hour shifts of crews of tugs engaged in harbor and bay towing. To assemble these tugs at any given point to change crews every 8 hours would involve such a useless expenditure of time, even if it were possible to do it, that the operation of a single harbor or bay tug, or a fleet of them, would be practically impossible, and would defeat the object for which the single tug, or fleet of tugs, was created by individual enterprise, namely, for commercial purposes.

Only licensed men are mentioned in the proposed enactment increasing boat crews. There is no doubt, however, that the unlicensed men will demand equal

privileges, as a vessel no more than an army can be conducted on the lines of "all officers and no soldiers," and for that reason we have included the unlicensed men with the licensed men in the above statement of costs of operating our harbor tugs.

If the proposed bill becomes a law we do not know where additional licensed or unlicensed men could be secured. It is our everyday experience that some one or more of our seagoing, as well as our harbor fleet of steam towing tugs, are held up indefinitely awaiting the securing of either a licensed man or an unlicensed man of the deck or engine crew equipment, because men are not available. There is always a scarcity of licensed and also unlicensed men to man ships, both coastwise and deep water, and if this legislation is enacted compelling owners to overman their ships without any return either in safety conditions of navigation or compensating features in any direction, it would be productive of bad results to American shipping generally, and destructive to water-borne commerce.

Port Reading.—This company is also operating 4 tugs, varying in tonnage from 115 to 224 tons, employed in towing coal barges owned by outside parties between our Port Reading piers and New York harbor. The distance between the piers and the New York towing limits is 28 miles and all inland. All of the tugs are double-crewed and the officers, deckhands, and firemen work 6-hours watches or shifts, and to provide the additional men necessary under the act it would require:

	Per annum.
Four captains or pilots, at \$143 per month per man $\times 4 = \$572 \times 12$ -----	\$6,864
Four engineers, at \$116 per month per man $\times 4 = \$464 \times 12$ -----	5,568
	12,432

To change this arrangement to eight-hour shifts would mean the employment of an extra pilot or captain and an assistant engineer, as above, and I am not so sure but that we would not be compelled to have men with first-class papers, on account of the tugs exceeding the 100-ton limit, and because each officer would be expected to assume the same responsibility for the safe handling of the tugs and their tows as well as for the protection of the lives of those on board of the boats. In addition to this it would be simply impossible to employ either captains or first-class pilots to man our tugs, as the number of men engaged in this particular and tortuous route are very limited; this is due to the fact that we promote our deckhands to pilots and then to masters, and promote our firemen to assistant engineers and then to chief engineers as the men become qualified; further, our tugs carry a crew of 13 men, and we have no accommodations for additional men, and the tugs are so constructed that we can make no provision for any extra men.

If this bill becomes a law it will only be a question of time when the deckhands, firemen, and stewards employed in this service will demand the same treatment as the licensed officers and insist on eight-hour shifts. This would not be an unreasonable request on the part of the men, as it has always been our practice to treat our employees, no matter what position they hold, with the same consideration. It is not quite clear to us why officers only are mentioned in the bill. It will readily be understood, therefore, that if the bill becomes a law our troubles will only begin with the other men.

I want to add that, in our opinion, the provisions in this bill are impracticable; and, furthermore, that our employees engaged in this service, the crews of these boats, are entirely satisfied with their present conditions.

Delaware River Ferry Co., of New Jersey.—For the sake of convenience, I am including the Delaware River ferry service in this letter, it being a separate and distinct company from the Philadelphia & Reading Railway Co. It is engaged in ferry service between Chestnut Street and South Street, Philadelphia, and Kaighus Point, Camden, N. J., and operates seven ferryboats.

Section 4 of the bill relates to this ferry service. Under the present regulations of the local inspectors, the licensed officers in this service can work 13 hours, and no more. Under an arrangement with our men, made several years ago, the licensed men are working 10 hours per day, six days per week. Section 4 reduces this to 56 hours per week, and under the provisions of the bill it will be necessary to provide:

Two additional pilots, at \$125 per month $\times 2 = \$250 \times 12$ -----	\$3,000.00
Two additional engineers, at \$125 per month $\times 2 = \$250 \times 12$ -----	3,000.00
	6,000.00

Total cost under provisions of House bill 8036.

	Per annum.
Port Richmond seagoing tugs.....	\$12,960.00
Port Richmond harbor tugs.....	21,897.48
Port Reading harbor tugs.....	12,432.00
Ferry boats, Delaware River Ferry Co., of New Jersey.....	6,000.00
Total.....	53,289.48

Yours, truly,

C. H. EWING, *General Manager.*

UNITED STATES SENATE, April 6, 1916.

MY DEAR CONGRESSMAN: I have been asked to bring to your attention the inclosed letter from Mr. William H. Taylor, president of the Taylor Dredging Co., of Jersey City, N. J., protesting against certain features of the bill H. R. 8036, introduced by yourself. I shall appreciate it very much if you will give this letter your serious consideration.

Very truly, yours,

WM. HUGHES.

Hon. J. W. ALEXANDER,
House of Representatives.

FOOT OF COMMUNIPAW AVENUE,
Jersey City, N. J., April 4, 1916.

Hon. WILLIAM HUGHES, Senator,
Washington, D. C.

DEAR SENATOR: In reference to House resolution No. 8036, introduced by Mr. J. W. Alexander, Representative from Missouri, at the present Sixty-fourth Congress, and which will come up for hearing before the Committee on Merchant Marine and Fisheries on Thursday next, the 6th instant.

The committee is composed of the following persons as you probably know: Joshua W. Alexander, of Missouri (chairman); Rufus Hardy, of Texas; Edward Saunders, of Virginia; Henry Bruckner, of New York; William S. Goodwin, of Arkansas; Jesse D. Price, of Maryland; Oscar L. Gray, of Alabama; William S. Green, of Massachusetts; Charles F. Curry, of California; William A. Rodenberg, of Illinois; Lindly H. Hadley, of Washington; Michael E. Burke, of Wisconsin; Peter J. Dooling, of New York; Ladislav Lazaro, of Louisiana; James T. Byrnes, of South Carolina; Carl C. Van Dyke, of Minnesota; David H. Kincheloe, of Kentucky; Asher C. Hinds, of Maine; George W. Edmonds, of Pennsylvania; George B. Louch, of Michigan; Frederick W. Rowe, of New York.

As this bill vitally affects our business and the business of many people from Jersey City and Hudson County, we take the liberty of pointing out a few of our objections, with the thought that you will be able to present them to members of the committee and use your influence to see that the bill is either amended or defeated.

We believe the enactment of the proposed bill will force tugboat owners out of business, as it will be impossible for them to comply with the act.

Tugboat owners are, of course, opposed to placing additional engineers and mates on board as the boats are now sufficiently officered for safe navigation and any increase is unnecessary, for it merely creates additional expenses in operation without providing any benefit. The present crew of the engine room makes it possible that no one member is overworked and there are just enough men to properly do the work without being overworked and without each being in the way of the other.

Section 4 of the bill applies to all vessels, including passenger, freight, and towing, and requires that each vessel have in its service a sufficient number of licensed officers so that no one of them should be required to be on watch more than 56 hours in any one week nor more than 13 hours in one day of 24 hours from midnight to midnight. It would be impossible for tugboats to comply with this as the work for the boat can not be laid out so as to change watches at regular hours, and where it is necessary to run tugboats continuously for 24 hours the only possible compliance would be to carry three crews, which is

impossible, for all tugboats are not constructed so that they could take care of that many men on board; and furthermore, even if room could be supplied for the men there are not sufficient licensed men in any harbor to fill out such a crew.

The present laws are entirely fair and satisfactory for all towboats that run continuously. The ment are generally on watch 6 hours and off watch 6 hours, so each officer stand a 12-hour watch out of 24 hours; while on all harbor tugboats the officers and crews are on watch for 13 hours.

We have two harbor tugboats which are working under the 13-hour law and work six days a week carrying a crew of master, engineer, fireman, deck hand, and steward, and these tugs are below 40 gross tons, and the officers and crew are lodged and boarded on the tugboat, with sufficient room for sanitary living; and to put any more men on would make the living impossible.

We have two other tugboats which carry coastwise papers on account of their work which requires their going 4 miles to sea, and these boats are engaged in towing dumpind scows loaded with dredgings and refuse from the harbor to a dumping ground 4 miles to sea, the towing being done with the tide and it takes from 9 to 10 hours for the round trip in order to catch the tides necessary. We consider the work to be for 24 hours a day for 6 days a week, providing, however, the weather permits. Of course, at times the weather does not permit, and perhaps the average is four days' work a week. The larger part of the tugboats in New York Harbor and vicinity are employed in this class of work.

One of the tugs is 160 gross tons, 111 feet long, 22 feet wide, 11 feet 9 inches deep; and the other is 226 gross tons, 108 feet long, 26 feet wide, and 12 feet deep, and these boats have accommodation for a sufficient crew and for their safety and comfort, and it is impossible for them to furnish accommodation for any more; they each have the full officers and crew which stand 6 hours watch and 6 hours off, so that none of them have more than 12 hours in 24. They have a master, mate, chief engineer, 1 assistant engineer, 3 firemen, 3 deck hands, and 1 steward, making 11 men in all on each boat who are paid by the month, and furnished with meals and lodged aboard the boat.

If the bill referred to (H. R. 8036) is passed, we would be compelled to place additional men aboard the towboats; that is, one licensed mate, one licensed assistant engineer, one certified seaman, and one fireman; and, of course, this would necessitate an assisstant steward; so you can readily realize that it would be impossible for us to make arrangements for all these people and for larger lifeboats and equipments which would be required, and be able to carry on our business.

You must also realize that our business is a big one, and that we are only one of many in the same line. We have a large amount of money at stake, as our boats are valuable boats, and our liability to our workmen, under the State statutes, Federal statutes, and at common law are such that we are more anxious than any person to have a proper crew of a proper size, so that no man shall be overworked, and that each man shall have the proper amount of sleep so that he may be alert all the time in preserving our interests, and it would be poor policy for us to oppose this measure if it were necessary for the safety of life of the crew, or for the protection of property, but we have had a great deal of experience and we feel that the present conditions are entirely satisfactory, not only from our standpoint, but from the standpoint of our men.

It would seem to us that towboats such as ours, 300 tons and under, which do not carry passengers or freight, should not be included in the requirements of the bill, and if same is enacted in any form whatsoever, it should be so amended that it does not include tugboats under 300 tons in its operation.

We do not believe that the person who introduced this bill really appreciates that the condition on tugboats are such now that there is perfect safety for the crew, and that no one is overworked, and that the requirements of the bill are not necessary for the protection of anyone, and we believe that if you will bring this matter to the attention of the members of the committee that they will see the fairness of the tugboat owners, when they request that their boats be separated from passenger and freight-carrying steamers.

You know, of course, that we will appreciate anything that you will be able to do to see that we get a proper consideration of our rights, because by so doing you will be helping many other residents of Jersey City, who are owners of towboats, or whose business requires the use of same.

Yours, very sincerely,

TAYLOR DREDGING CO.,
WILLIAM H. TAYLOR, *President*.

NEW YORK, April 10, 1916.

HON. JOSHUA W. ALEXANDER,

*Chairman Committee on the Merchant Marine and Fisheries,
Washington, D. C.*

DEAR SIR: It was my privilege to attend the hearing before your committee on Wednesday last and to speak in opposition to H. R. 8036.

I represent John E. Moore Co., of New York. This company operates steam propellers, excursion steamers, and passenger barges. For a number of years this company has also been engaged under contract with steamship companies in the transportation of all immigrants coming into the port of New York from steamships to Ellis Island and from Ellis Island to the various railroad terminals. The objections which were voiced by the various ones represented at the hearing cover very fully the objections of my client. I shall not in this communication attempt to reiterate these objections in detail; briefly summarized, they are as follows:

First. The legislation proposed is unnecessary, both from the standpoint of public safety and welfare and for the protection of the employees, and there exists no general demand for the bill, even on the part of the employees.

Second. The towing business is of such a nature and the tugboats are so constructed that there would not be accommodations on the type of boats now used for the additional number that would be required by this bill. A tugboat after lying at the wharf waiting for several hours for an order might be called to tow in a steamship, and while carrying out the operation the time might come for making a shift. If the added crew were not on board, as the law required and for whom there would be no accommodation on board, the tug would be in the position of breaking the law or else suspend the operation and come in and pick up another crew, entailing a great loss of time both to the company operating the tugboat and to the owners of the steamship.

Third. If a law were passed providing 8-hour shifts for licensed officers, the unlicensed crew would immediately demand the same treatment whether it was prescribed by the law or not. This would be the practical effect of the bill.

Fourth. An investigation will demonstrate beyond contradiction that at the present time there is a scarcity of licensed officers in the port of New York. Should this bill proposed become a law it would treble the demand for licensed officers. The result of this would be to increase the demand to the point where it would be impossible for the companies to obtain the necessary licensed officers at least within a period of several years. This would mean the putting out of business of a considerable portion of the tugboat service in New York Harbor greatly to the detriment of both passenger and freight and express traffic.

Fifth. The merchant-marine interests have not yet been given time to digest the recent enactments put upon the statute books and to fully adjust themselves to the law. At this time when the entire country recognizes the desirability and necessity of doing everything possible to build up our merchant marine it would seem most unwise for Congress to enact a measure such as this, which would have a most drastic effect and would go far to retard the immediate growth of our merchant marine.

I can not emphasize too strongly our protest against this bill.

On behalf of my client, as well as those associated with me at the hearing and myself, I wish to thank you and through you the committee for the courteous, patient, and careful hearing given by your committee on Thursday.

I trust your committee may not report the bill.

Respectfully, yours,

ARNON L. SQUIERS.

KANSAS CITY MISSOURI RIVER NAVIGATION CO.,
Kansas City, April 10, 1916.

HON. WILLIAM P. BORLAND, M. C.,

House of Representatives, Washington, D. C.

DEAR MR. BORLAND: Thanks for yours of the 7th, inclosing copy of H. R. 8036.

Our objection to this bill applies to section 4, beginning at line 20, page 5, and ending at line 7, page 6. Lines 3 to 7, both inclusive, page 6, requiring that no licensed officer be on watch more than 56 hours in any one week are particularly objectionable. As the law now stands, we are permitted to operate boats continuously, night and day, with a double crew; that is to say, with two licensed officers for each position. These officers work 12 hours out of each 24

when the boat is actually running the full 24 hours. Under this proposed amendment we will be required to carry three licensed officers for each position and increase our pay roll one-third, as by far the largest mount paid in wages is to licensed officers.

In 1915 we carried double crews on our boats, which entitled us to operate them full time. As a matter of fact, however, our boats were actually pushing barges only 36 per cent of the time. Considering the fact that, no matter how efficient, boats can not run 100 per cent of the total time, and that 70 per cent efficiency is generally considered the maximum, you will see that being required to increase our crews in order to be entitled to run 24 hours per day when that is possible means quite an expense to us, considering the running efficiency possible of attainment under present conditions, or even under maximum conditions.

I don't profess to know anything about deep-sea requirements, but I do know the application of this proposed amendment to inland water boats seems unfair and uncalled for at this time.

The maximum of 56 hours per week is 8 hours per day, and even railway men work more than 56 hours per week. Mr. Alexander is too good a friend of the rivers to purposely put any obstacles in the way of development, and I am surprised that this inland-water section has been allowed to enter the bill.

This is one bill affecting inland waters which I feel very sure will receive Mr. Frear's support, and that of the other prorailroad Congressmen, but I earnestly hope the river Congressmen will be able to defeat the section applying to inland waters.

Very truly, yours,

A. W. MACKIE, *Assistant to the President.*

NEW YORK, April 10, 1916.

HON. JOSHUA W. ALEXANDER,
House of Representatives,
Washington, D. C.

DEAR JUDGE ALEXANDER: I am inclosing a brief in regard to House bill 8036, on which I appeared before your committee on the hearing on April 6, and which I will ask to have submitted to your committee.

With best regards, I remain,

Yours, respectfully,

CHARLES H. FULLER.

MEMORANDUM SUBMITTED ON BEHALF OF MERRITT & CHAPMAN DERRICK & WRECKING CO. IN OPPOSITION TO HOUSE BILL 8036.

To the Committee on the Merchant Marine and Fisheries of the House of Representatives, Hon. Joshua Alexander, chairman:

The Merritt & Chapman Derrick & Wrecking Co. have already presented to each member of your honorable committee a letter stating their reasons for requesting adverse action upon the above-mentioned bill, referring particularly to section 4 thereof.

On their behalf I now beg to respectfully submit a brief memorandum in addition to the letter already sent to the members of the committee. If the so-called 56-hour provision should be enacted into law, it would be impossible to operate the boats of my client in their daywork, except by the employment of a second crew, who would have to be kept under pay all the time. It has already been pointed out in our letter that such an extra crew would either be at home idle a large portion of the time or else would be idle a large portion of the time on the boat. The large increase of expense which would result from the necessity of hiring such extra crews has been pointed out in our letter. I desire to add the following: While operating expenses, of course, must be paid primarily by the owner of the plant, is undoubtedly true that in all cases the cost is shifted ultimately to the consumer or the customer. Therefore, a material increase in the burden of operation comes back ultimately and inevitably to the consumer, and must remain with him, as he can not in turn shift it to anyone else. In the case of steamboat lines, whether freight, passenger, towage, or lighterage, the goods and the passengers must ultimately pay operating expenses. Is it not true that the cost of living is high enough now without putting additional burdens upon operating expenses, which would inevitably add to the cost of goods and the cost of transportation of goods and

people? I respectfully submit that the very large increase of expense which this proposed act would entail is a sufficient reason why it should be defeated.

Furthermore, I am reliably informed that there are not at the present time men who hold licenses as masters and mates and who could be put into service for the extra help that would be required under this proposed act. Upon the hearing before your committee on April 6 it was stated by proponents of this bill that there were licensed engineers who could be put into jobs in case more men were needed as the result of this bill; but I heard no statement made by the proponents of this bill that there were men holding licenses as masters and mates who could be called upon to supply the extra men that would be needed under this bill. On the other hand, I have been informed by officials in the Department of Commerce that there is a great shortage of such licensed men at the present time.

Our letter also referred to special class of work that is done by our vessels in their wrecking work and which work involved usually a full 24 hours' service away from the dock. This, of course, requires two crews at the present time, but this bill would make three crews necessary on these wrecking trips. Our boats have to carry now a special equipment of experienced wreckers, and they are not built so as to accommodate a third crew. If such third crew becomes necessary, the boats would have to be remodeled.

In conclusion may I refer again to the suggestion made in our letter? I believe that it is the sincere desire of both of the political parties to stimulate and encourage in every possible way the growth and development of our merchant marine and the interests of maritime commerce. This bill, if enacted, would strike a severe blow at all maritime interests. The statements made at the hearing on April 6 show convincingly that under the 56-hour proposition contained in this bill the operation of all kinds of boats on inland waters would be rendered far more burdensome, expensive, and difficult than at present; that boats in numerous cases would have to be rebuilt; that it would be practically impossible to obtain the additional licensed officers that would be required; and, if they could be obtained, then every boat would be obliged to keep on hand a large force of men under pay, but without work to do during a considerable portion of the hours in which boats have to be operated.

It is difficult to conceive of any measure that would embarrass maritime business more than this proposition. We earnestly request that this bill be disapproved by your honorable committee.

Respectfully submitted.

CHARLES H. FULLER,

Of Counsel for Merritt & Chapman Derrick & Wrecking Co.

(Office address, 309 Broadway, New York City.)

APRIL 13, 1916.

Mr. CHARLES H. FULLER,
*Counsellor at Law, 309 Broadway,
Borough of Manhattan, New York.*

DEAR SIR: I beg to acknowledge receipt of yours of the 10th instant, inclosing brief in regard to bill H. R. 8036. If this bill comes up before the committee at the present session of Congress for further consideration, I beg to assure you I will bring your brief to the attention of the committee in connection with the bill. I doubt, however, in view of the congested legislative program, if the committee will consider this bill further at the present session. However, the hearings have just been printed and the committee have not taken any further action in the premises.

Very truly, yours,

Chairman.

AMERICAN STEAMSHIP ASSOCIATION,
New York, April 12, 1916.

HON. JOSHUA W. ALEXANDER, Chairman,
and MEMBERS OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES,
Washington, D. C.

GENTLEMEN: We desire to supplement the few verbal remarks made at the public hearing before your committee in Washington, D. C., on April 6, 1916, in opposition to H. R. 8036, by the following:

President Wilson, in his address to Congress on December 7, 1915, said these words:

"It is necessary for many weighty reasons of national efficiency and development that we should have a great merchant marine. The great merchant fleet that we once used to make us rich, that great body of sturdy sailors who used to carry our flag into every sea, and who were the pride and often the bulwark of the Nation, we have almost driven out of existence by inexcusable neglect and indifference and by a hopelessly blind and provincial policy of so-called economic protection. * * *

"We have not ships enough of our own. We can not handle our own commerce on the seas. * * *

"Moreover, we can develop no true or effective American policy without ships of our own—not ships of war but ships of peace, carrying goods, and carrying much more; creating friendships and rendering indispensable services to all interests on this side the water. * * *

"The task of building up an adequate merchant marine for America private capital must ultimately undertake and achieve, as it has undertaken and achieved every other like task amongst us in the past. * * *

"And it seems to me a manifest dictate of wisdom that we should promptly remove every legal obstacle that may stand in the way of this much-to-be-desired revival of our old independence and should facilitate in every possible way the building, purchase, and American registration of ships."

When one is seeking success in any undertaking the logical and most important thing to do is to study the methods that have produced the desired results by those who have been successful in similar undertakings. The mercantile marine of Great Britain to-day, in size and importance, far surpasses that of any other nation; that it has been operated in the past with success, equaled by few countries and surpassed by no other, there can be no argument. The question naturally arises, Has Great Britain obtained her supremacy on the seas by adopting legislation similar to H. R. 8036? And if the bill in question is enacted into law, will it bring forth or assist in creating "the great merchant fleet" which President Wilson has so eloquently stated the country must have? Should H. R. 8036 become law every ocean and coastwise seagoing merchant vessel of 1,000 gross tons and over propelled by machinery must have in her personnel three licensed assistant engineers and one chief engineer, also licensed; this irrespective of the size of engines, quantity of machinery on board, or importance of engineering work to be performed.

Likewise a machinery-propelled vessel of 200 gross tons and less than 1,000 gross tons engaged in similar service (on routes of any length) and a similar vessel (machinery propelled) of from 100 to 200 gross tons engaged in trade at sea on routes of more than 24 hours must have on board three licensed engineers.

It is interesting to note that Great Britain has obtained her supremacy on the sea by making it possible to legally operate any machinery-propelled vessel with a maximum of two licensed engineers; this irrespective of size, power, length of voyage, or other consideration.

Under British law there are but two licensed engineers required for merchant steamers, viz, first-class engineer and second-class engineer, without variation as to tonnage. This requirement is covered in section 92 of the British merchant shipping act of 1894, reading as follows:

"Every British foreign-going ship and every British home-trade ship when going to sea from any place in the United Kingdom, and every foreign steamship carrying passengers between places in the United Kingdom, shall be provided with officers duly certificated under this act according to the following scale:

"If the ship is a foreign-going steamship of 100 nominal horsepower or upward, with at least two engineers, one of whom shall be a first-class and the other a first-class or second-class engineer duly certificated:

"If the ship is a foreign-going steamship of less than 100 nominal horsepower, or a sea-going home-trade passenger steamship with at least one engineer who is a first-class or second-class engineer duly certified."

In explanation of the words "foreign-going ship" and "home-trade ship," the British statute says the following:

"'Foreign-going ship' includes every ship employed in trading or going between some place or places in the United Kingdom, and some place or places situate beyond the following limits: that is to say, the coasts of the United Kingdom, the Channel Islands, and Isle of Man, and the Continent of Europe

between the River Elbe and Brest, inclusive. 'Home-trade ship' includes every ship employed in trading or going within the following limits: that is to say, the United Kingdom, the Channel Islands, and Isle of Man, and the Continent of Europe between the River Elbe and Brest, inclusive. 'Home-trade passenger ship' means every home-trade ship employed in carrying passengers."

Thus it will be seen that a foreign-going ship of small power (less than 100 nominal horse) can operate to any part of the world with only one licensed engineer, who may be an engineer of the second class. Likewise a passenger ship of any size or power of machinery may operate coastwise, and to near-by territory in France, Belgium, Holland, and Germany, with only one licensed engineer, who may only have a second-class certificate.

Cargo vessels of any size or power are allowed by the above laws to operate coastwise, or to near-by foreign countries, without any licensed engineer.

Compare the British requirements with those of this country at present in force, or as called for in the bill in question.

Under the general rules and regulations of the Board of Supervising Inspectors of Steam Vessels, which, pursuant to that act of February 14, 1903, have the force of law, the following 16 grades of marine engineers' licenses are prescribed for our merchant marine:

Chief engineer of ocean steamers; chief engineer of condensing lake, bay, and sound steamers; chief engineer of noncondensing lake, bay, and sound steamers; chief engineer of condensing river steamers; chief engineer of noncondensing river steamers; first assistant engineer of ocean steamers; first assistant engineer of condensing lake, bay, and sound steamers; first assistant engineer of noncondensing lake, bay, and sound steamers; first assistant engineer of condensing river steamers; second assistant engineer of ocean steamers; second assistant engineer of condensing lake, bay, and sound steamers; second assistant engineer of noncondensing lake, bay, and sound steamers; second assistant engineer of condensing river steamers; third assistant engineer of ocean steamers; third assistant engineer of condensing lake, bay, and sound steamers.

In addition to the above 16 grades specified in the rules, the United States local inspectors of steam vessels make a practice of stating on an engineer's license the maximum gross tonnage of the vessel on which he may serve. This limitation is irrespective of power of ship or engineering skill necessary to successfully perform the duties required. The gross tonnage of a vessel is no criterion of the quantity or quality of engineering labor or skill necessary to operate it safely and successfully, and it is a surprise to us that an engineers' association, composed of practical men, should have used the tonnage standard in their endeavor to make laws to govern the number of men to be employed on machinery-propelled vessels.

The table attached (blue print) shows 16 groups of vessels, in each group of which the vessel with the greatest tonnage has less horsepower, and requires less engineering labor, skill and knowledge than the vessel with the smallest tonnage. The vessels in this table are not exceptional cases; the list could be extended almost indefinitely.

The practical effect of the American requirements, and the way same are enforced by the United States steamboat inspectors, is to artificially create a restriction on the number of men available, which no legislation should seek to promote. Great Britain's unchallenged success as a maritime nation is largely due to the fact that her legislature has not sought to hamper the operation of her ships by such handicaps as have been imposed on American steamers. Is it any wonder, then, that our overseas tonnage is so small in comparison with that of our trade rivals?

American steamship operators have much reason to complain that they are constantly being menaced with artificial handicaps, imposed by Government fiat, from which their foreign competitors are exempt; that no sooner is one sweeping change precipitated, involving an expenditure of thousands of dollars per ship, than another is promulgated, or a statute enacted by Congress, which necessitates the replacement of equipment just installed, by other and different equipment; which, in turn, may as soon be ordered to be thrown aside and some other substituted.

President Wilson must have had this situation in mind when he uttered the words quoted above, viz:

"And it seems to me a manifest dictate of wisdom that we should promptly remove every legal obstacle that may stand in the way of this much desired revival of our old independence."

Any attempt to score our shipowners as lacking in resourcefulness or ingenuity for their failure to restore the merchant marine of the United States to a point commensurate with our past performance, while such legislation remains in effect, would be unjust.

The proponents of this bill have endeavored to show that British vessels carry larger engine room crews than similar vessels under the American flag, and have submitted in evidence one solitary British ship that had one more man in the engine room than a United States vessel of similar tonnage. The power of the ship, nature of service, and any other condition that would account for this exceptional case, are facts that were not submitted.

The committee's attention is invited to the British fruit steamships *Amelia*, *Bella*, and *Annetta*, of from 1,271 to 1,294 gross tons and about 1,500 indicated horsepower, that operate with the following engine department crew: Three engineers (only two of whom hold a license), one donkeyman (Chinese), and six firemen (likewise Chinese).

Also, to the general cargo boats *Thyra Menier* and *Honoreva*, which are owned by the same company as the three first ships previously referred to, and that fly the British ensign. The *Thyra Menier* and *Honoreva* are of 1,452 and 1,457 gross tons, respectively, and of about 700 indicated horsepower. These two ships have for engine department crews three engineers (only two of same holding licenses), one donkeyman (Chinese), and four firemen (Chinese). The five vessels mentioned are not isolated cases. Many steamers, hundreds, if not thousands of British vessels, could be mentioned where the engine-room crew consists of only two licensed engineers, one unlicensed engineer, and one donkeyman. This is practically the standard crew for the moderate-size English tramp ship of three to four thousand tons gross register and 1,000 to 1,500 indicated horsepower.

Compare the engine-room crews noted above with the usual crews carried on American vessels of similar size and power, which are by law required to carry three or four engineers, all of whom have to be licensed; and custom has decreed that all except the smallest-powered vessels must carry at least two, and generally three, oilers.

If we are ever to expect to increase our shipping to a point commensurate with our national aspirations and importance, our legislation should address itself to the proposition of putting American ships on a parity with those of Great Britain, of the type of ship that has made her unrivaled as the world's cargo carrier. It is the tremendous number of her tramp steamers alone, with their enormous cargo-carrying capacity, which gives Great Britain such a preponderance over every other country as a maritime nation.

It is unfortunate that the great mass of our people, whenever they give attention to maritime affairs, think in terms of the large Atlantic liners. Such steamers are most in evidence to the traveling public who pass through our large eastern seaports, and the size and magnificence of these craft make an emotional appeal to the eye and mind. The tramp, which carries only freight, comes and goes unnoticed in the news columns of the public press; the traveling layman does not have his attention called to them; they do not carry his mail, his baggage, or his person.

It may even with truth be alleged that in many cases these British tramp steamers carry a larger engine-department force than is to be found on American steamers of like tonnage. This arises from the fact that British steamers trading to the Orient carry almost exclusively Chinese or Lascar firemen, coal passers, etc., while American ships do not. Fire-room crews on American ships, being much more competent, do not require the same number of men, of course. With a fire-room crew of, say, 20 Lascars, at \$15 per month, if the number of the crew alone is to be considered, it is not a true criterion to make a comparison with an American ship of the same type carrying a less number at rates of wages approximating three times as much. For example, the monthly wages paid on ships out of the port of New York in the lines on the Atlantic coast and to the West Indies and South America, dependent upon the size of the ship and the requirements of the service, range as follows:

Captains, from \$200 to \$300; first mates, from \$110 to \$125; second mates, from \$80 to \$95; third mates, from \$60 to \$85; boatswains, from \$35 to \$45; quartermasters, from \$35 to \$45; lookouts, from \$35 to \$45; deckhands, from \$30 to \$35; chief engineers, from \$135 to \$175; first assistant engineers, from \$100 to \$110; second assistant engineers, from \$90 to \$105; third assistant engineers, from \$70 to \$85; oilers and water tenders, from \$45 to \$55; firemen, from \$40 to \$45; coal trimmers, from \$30 to \$35.

On the American Line steamers, running across the Atlantic under the American flag, the wages are on a basis of about 15 per cent higher than these figures.

On the Great Lakes, where there is a closed season of navigation, lasting about four months, the officers, who are engaged by the year, are paid about the same rates as on the Atlantic coast steamers; but as their crews are discharged at the close of navigation, the wages on these American steamers are somewhat higher.

On the Pacific coast, where wages generally in all occupations are on a higher basis than in the Eastern States, the rates paid on shipping for all positions are considerably higher. Their deck hands receive \$50, and, owing to overtime, payments average from \$75 to \$90, while the firemen receive \$55.

These rates do not include the cost of subsistence, which is defrayed by all steamship companies.

These figures are much higher than the rates paid on the vessels of other nations, and the subsistence furnished on American ships is freely acknowledged to surpass anything provided elsewhere. If the cost of subsistence be added to these wage scales, they will be found to compare favorably, in fact to exceed the rates paid ashore in the same localities for analogous kinds of labor. Besides, the man aboard ship has more steady employment; there is no deduction for time lost on account of sickness during the period of his term of engagement; when trade is dull, the ship must carry the same complement of crew as when she sails fully loaded.

Mr. Bruce Gibson, the sponsor of H. R. 8036, in endeavoring to show that the American Mercantile Marine was in a very flourishing financial condition, and that the shipowner could well afford to pay the additional cost of operation that would be incurred after the passage of the bill, submitted in evidence to your committee a published financial statement of a single American steamship company for a period of five months.

Admitting that one American steamship company engaged in international commerce, or even granting that all the American steamship lines operating between the United States and foreign countries are at the present time earning unusually large dividends, due to existing abnormal conditions, should this be considered as justifying this increase in the cost of operation of all American steamships?

Of the total gross tonnage of ships under the American flag, but one-eighth is registered for trading with foreign countries, the remaining seven-eighths comprising our coastwise, lake, bay, sound, and river steamers. In the case of the American lines engaged in international trade, the rates charged for the carriage of freight are subject alone to the law of supply and demand, the unusually high rates now prevailing being due to the withdrawal of so many British ships for foreign government service, and the practical elimination of the whole German and Austrian overseas fleets, causing an unprecedented demand for the few American ships of this character.

Any increase made to the cost of operation of such steamers by legislative enactment or otherwise can, therefore, as in the case of the output of industrial concerns, be shifted to the consumer by an increase in the rates of freight. This can not be done, however, in the case of the cargoes carried by the other seven-eighths of our shipping, which is subject to an entirely different set of conditions. Almost all of the latter shipping is paralleled by railroads, with which they are in fierce competition throughout the territory served by them, and to hold any part of the traffic it is absolutely necessary that the rates of freight be placed at lower figures than are quoted by the railroads. While it is true that the water carrier has no roadbed to maintain, the steamer is a much more costly unit of earning power than has to be furnished by the railroad, ranging in value from the cargo steamship of \$300,000 to the express freight and passenger vessel of about \$1,000,000, for which the cost of marine insurance must be provided to cover the water hazards of cargo and ship, and which is not incurred by the rail carrier. The rates for freight carried by our domestic steamships within the United States beyond the ports, comprising by and large about 75 per cent of the whole cargo carried, are subject to control by the Interstate Commerce Commission, with all that this implies, and the rates between the ports reflect this control, from the fact that these must be on a parity with the rates charged for the longer haul. The rates in effect by the railroads in competition with these steamers are also, of course, controlled by the commission.

As evidence of the effect of this railroad competition on our steamship enterprises it is only necessary to refer to the case of the steamboat traffic on the Mississippi River. Forty-five years ago there were 470 steamboats plying regularly on this river. At present one would have hard work to find 47. Through packet service between St. Louis and New Orleans ceased in the early nineties of the last century, and about 10 years later through freighting ended. Several of the steamers formerly plying on this river carried from 5,000 to 9,000 bales of cotton, their tonnage being about 1,500 gross and their length about 300 feet. There are no such steamers there to-day. Even before the Civil War these boats were known to make a speed of about 20 miles an hour. A record passage, made in July, 1870, covered 1,278 miles, from New Orleans to St. Louis, in 3 days, 18 hours, and 14 minutes, a sustained average speed of more than 14 miles an hour against the current. The Mississippi and Missouri, with their tributaries, affording 16,000 miles of navigable waterways, and touching 10 States, are of little use to this country as a means of transportation. Their inability to compete with the railroads has classed them among the relics.

It is, therefore, manifestly unfair to base any claim for a permanent increase in the number of men required by law to operate all ships, on the contention that a mere fraction of our shipping has been enabled, through war conditions, to temporarily increase its earning power.

It appears to us that the important question, in fact the only question, to be thought of, in considering H. R. 8036, and other legislation of this kind, is, will it give or help to give the country "the great merchant marine" which President Wilson and the entire nation is agreed we must have?

Respectfully,

H. C. HIGGINS,
A. S. HEBBLE,
W. T. WEBSTER,

Representing American Steamship Association.

Comparison of vessels, tonnage, and power.

Name of vessel.	Gross tonnage.	Machinery.			Boilers.		
		Cylinders and turbines.			Num-ber.	Style.	Press-ure.
		Style number.	Size.	Indi-cator or shaft horse-power.			
Gettysburg.....	558	1 triple.....	18, 28, 45 by 30.....	1,000	2	C. R. T. B.	170
Brandon.....	1,062	.....do.....	.....do.....	1,000	2	S. B.....	160
Yanadis.....	1,092	.....do.....	18, 29, 45 by 26.....	1,000	2	.....do.....	.....
Manna Hattia.....	1,103	.....do.....	18, 28, 45 by 30.....	1,000	2	.....do.....	.....
Algiers.....	2,294	.....do.....	17, 24, 42 by 30.....	900	.....	.....do.....	.....
New York.....	2,589	.....do.....	17, 27, 42 by 30.....	750	1	C. R. T. B.	160
May.....	652	.....do.....	19, 31, 51 by 33.....	1,500	.....	.....do.....	.....
Merrimack.....	2,546	1 compound.....	26, 56 by 48.....	1,500	4	C. R. T. B.	150
Lewis Lucken- back.....	3,101	1 triple.....	26, 42, 68, by 45.....	1,200	2	S. E. S. B.	180
Ruth.....	3,102	.....do.....	22, 37, 60 by 42.....	1,300	2	.....do.....	180
Jean.....	3,125	.....do.....	.....do.....	1,300	2	.....do.....	180
Pleaside.....	3,753	.....do.....	21, 35, 56 by 42.....	1,500	2	.....do.....	175
Lyra.....	4,417	.....do.....	.....do.....	1,500	2	C. R. T. B.	175
Noma.....	763	2 quadruples.....	17, 27, 32, 32 by 24.....	4,200	4	W. T. B.....	250
Belfast.....	2,157	.....do.....	Turbines.....	4,000	.....	.....do.....	.....
New Hampshire.....	2,395	1 quadruple.....	28, 45, 51, 51 by 42.....	3,000	4	S. B.....	160
Nevadan.....	4,409	2 triples.....	19, 31, 54 by 42.....	3,000	2	C. R. T. B.	200
Medina.....	5,246	1 triple.....	29, 49, 84 by 54.....	4,100	4	S. E. S. B.	200
Columbian.....	8,580	2 triples.....	24, 42, 65 by 45.....	4,000	4	S. B.....	.....
Cyprus.....	1,037	2 quadruples.....	16, 26, 30, 30 by 24.....	3,600	4	W. T. B.....	225
New Hampshire.....	2,395	1 quadruple.....	28, 45, 51, 51 by 42.....	3,000	4	S. B.....	160
Jamestown.....	2,898	1 triple.....	25, 44, 73 by 54.....	3,000	4	S. E. S. B.	190
Howard.....	3,581	.....do.....	28, 46, 72 by 48.....	2,500	4	.....do.....	170
Manhattan.....	3,539	2 quadruples.....	23, 37, 42, 42 by 36.....	3,500	3	S. B.....	200
Madison.....	3,734	1 triple.....	26, 44, 74 by 54.....	3,300	4	.....do.....	190
Texan.....	8,615	2 quadruples.....	19, 28, 41, 60 by 42.....	3,400	3	S. E. S. B.	215
Corsair.....	1,136	.....do.....	21, 33, 38, 38 by 30.....	3,000	2	S. B.....	190

Comparison of vessels, tonnage, and power—Continued.

Name of vessel.	Gross tonnage.	Machinery.			Boilers.		
		Cylinders and turbines.			Num-ber.	Style.	Pres-sure.
		Style number.	Size.	Indi-cator or shaft horse-power.			
Hamilton.....	3,723	1 triple.....	27, 44½, 73 by 54.....	3,000	4	S. E. S. B.	190
Nevadan.....	4,409	2 triple.....	19, 31, 54 by 42.....	3,000	2	C. R. T. B.	200
Brandon.....	1,062	1 triple.....	18, 28, 45 by 30.....	1,000	2	S. B.....	160
Algiers.....	2,294	.....do.....	17, 24, 42 by 30.....	900			
New York.....	2,580	.....do.....	17, 27, 42 by 30.....	750	1	C. R. T. B.	160
Niagara.....	1,444	2 triple.....	18, 28, 45 by 30.....	2,000	3	C. A. T. B.	160
Olivette.....	1,678	.....do.....	23, 36, 60 by 36.....	2,000	4	.....do.....	160
Ruth.....	3,102	.....do.....	22, 37, 60 by 42.....	1,300	2	S. E. S. B.	175
Tyler.....	3,928	.....do.....	19½, 33½, 58 by 42.....	1,800	2	.....do.....	200
Lyra.....	4,417	.....do.....	21, 35, 56 by 42.....	1,500	2	C. R. T. B.	175
Governor Cobb.....	2,522	3.....	Turbines.....	5,000	6	S. E. C. R.	150
Tyler.....	3,928	1 triple.....	19½, 33½, 58 by 42.....	1,800	2	S. E. S. B.	200
Hayades.....	3,753	.....do.....	21, 35, 56 by 42.....	1,500	2	.....do.....	175
Lyra.....	4,417	.....do.....	.....do.....	1,500	2	.....do.....	175
Old Colony.....	4,779	.....do.....	Turbines.....	5,000		T. B.	
Medina.....	5,246	1 triple.....	29, 49, 84 by 54.....	4,100	4	S. E. S. B.	200
Mexico.....	6,207	2 triples.....	28, 46, 76 by 42.....	5,000	4	S. B.....	160
Kentuckian.....	6,606	1 quadruple.....	25½, 37, 53½, 78 by 54.....	2,500	3	.....do.....	215
Columbian.....	8,580	2 triples.....	24½, 42, 65 by 45.....	4,000	4	.....do.....	
Texan.....	8,615	2 quadruples.....	19, 28½, 41, 60 by 42.....	3,400	3	S. E. S. B.	215
Merrimack.....	2,546	1 compound.....	26, 56 by 48.....	1,500	4	C. R. T. B.	150
Lewis Lucken-back.....	3,101	1 triple.....	26, 42, 68 by 45.....	1,200	2	S. E. S. B.	180
Jean.....	3,125	.....do.....	22, 37, 60 by 42.....	1,300	2	.....do.....	180
Hayades.....	3,753	.....do.....	21, 35, 56 by 42.....	1,500	2	.....do.....	175
Lyra.....	4,417	.....do.....	.....do.....	1,500	2	.....do.....	175
Grecian.....	2,827	.....do.....	25, 41½, 68 by 42.....	2,820	4	S. B.....	170
Ruth.....	3,102	.....do.....	22, 37, 60 by 42.....	1,300	2	.....do.....	180
Oleum.....	2,950	2 triples.....	18, 28, 45 by 30.....	2,000	2	S. E. S. B.	180
Howard.....	3,581	1 triple.....	28, 46, 72 by 48.....	2,500	4	.....do.....	170
Iroquois.....	3,601	.....do.....	23, 36, 60 by 36.....	2,000	2	S. B.....	163
Tyler.....	3,928	.....do.....	19½, 33½, 58 by 42.....	1,800	2	.....do.....	200
Lyra.....	4,417	.....do.....	21, 35, 56 by 42.....	1,500	2	S. E. S. B.	175
Hamilton (origi-nal).....	3,128	.....do.....	27, 44½, 73 by 54.....	3,000	4	.....do.....	190
Hamilton (length-en-ed).....	3,723	.....do.....	.....do.....	3,000	4	.....do.....	190
Manhattan.....	3,539	2 quadruples.....	23½, 37½, 42, 42 by 36.....	3,500	3	S. B.....	200
Comanche.....	3,856	1 quadruple.....	24½, 34½, 49½, 70 by 36.....	3,500	3	.....do.....	200
Nevadan.....	4,409	2 triples.....	19, 31, 54 by 42.....	3,000	2	C. R. T. B.	200
Kentuckian.....	6,606	1 quadruple.....	25½, 37, 53½, 78 by 54.....	2,500	3	S. E. S. B.	215
Texan.....	8,615	2 quadruples.....	19, 28½, 41, 60 by 42.....	3,400	3	.....do.....	215
Madison.....	3,734	1 triple.....	26½, 44, 74 by 54.....	3,300	4	.....do.....	190
Tyler.....	3,928	.....do.....	19½, 34½, 58 by 42.....	1,800	2	.....do.....	200
Plelada.....	3,753	.....do.....	21, 35, 56 by 42.....	1,500	2	S. B.....	175
Kentuckian.....	6,606	1 quadruple.....	25½, 37, 53½, 78 by 54.....	2,500	3	S. E. S. B.	215
Yale and Harvard.....	3,737	3.....	Turbines.....	12,000	12	S. B.....	155
Lyra.....	4,417	1 triple.....	21, 35, 56 by 42.....	1,500	2	S. E. S. B.	175
Matsonia.....	9,728	1 quadruple.....	35, 62, 81, 81 by 66.....	8,500	3	.....do.....	250
Manchuria.....	13,638	2 quadruples.....	30, 43, 63, 89 by 60.....	11,000	8	S. E. S. B.	215
Massachusetts.....	4,779	.....do.....	26, 43, 51, 51 by 42.....	7,000	8	S. E. S. B.	185
Old Colony.....	4,779	.....do.....	Turbines.....	5,000			
Medina.....	5,246	1 triple.....	29, 49, 84 by 54.....	4,100	4	S. E. S. B.	200
Mexico.....	6,207	2 triples.....	28, 46, 76 by 42.....	5,000	4	S. E. S. B.	160
Columbian.....	8,580	.....do.....	24½, 42, 65 by 45.....	4,000	4	S. B.....	
Texan.....	8,615	2 quadruples.....	19, 28½, 41, 60 by 42.....	3,400	3	S. E. S. B.	215
St. Louis.....	11,629	2 6-cylinders.....	28½, 28½, 55, 77, 77, 77 by 60.....	22,000	10	S. E. S. B.	200
Manchuria.....	13,638	2 quadruples.....	30, 43, 63, 89 by 60.....	11,000	8	S. E. S. B.	215

PROTEST ON HOUSE BILL 8036.

PHILADELPHIA & READING TRANSPORTATION LINE,
Fort Richmond, Philadelphia, April 1, 1916.

HON. GEORGE W. EDMONDS,
Member of the Committee on Merchant Marine and Fisheries,
Washington, D. C.

HONORABLE SIR: On behalf of the Philadelphia & Reading Transportation Line, owned and operated by the Philadelphia & Reading Railway Co., the undersigned submits that his company operates 12 ocean-going tugs engaged in coastwise towing and 4 harbor tugs engaged in harbor-towing service at the port of Philadelphia.

In connection with the proposed amendment to section 4463 of the Revised Statutes of the United States, as provided for in House bill No. 8036, I desire to file with your committee a respectful protest to the said proposed amendment as seriously effecting the operations of this fleet of steam tugs for reasons as set forth below:

First. Ocean-going tugs: The fifth clause of section 2 of the proposed act provides, viz:

"That every such vessel of two hundred gross tons and less than one thousand gross tons propelled by machinery shall have in her service and on board not less than two licensed assistant engineers, who, with the chief engineer, shall stand in three watches."

This proposed addition of licensed second assistant engineers on tugs of 200 gross tons and less than 1,000 gross tons engaged in coastwise towing is merely a renewal of agitation that was started in the year 1909. It was definitely determined by the then and now supervising inspector general, George Uhler, of the Steamboat-Inspection Service, that the sea tugs of this company did not require three engineers. The conditions of service of these vessels has not changed since that time to the date of this protest, so that there is no tangible reason whatsoever for the placement of a second assistant engineer on these tugs engaged in coastwise towing.

These vessels are already overburdened with a complement of officers and men aggregating 21 on each tug. The boats were not built to provide for surplus men and there are no quarters available for them or proper space to provide quarters. The dearth of licensed men, both for deck and engine-room crew equipment, is already one of the most serious obstacles to the operation of vessels that owners have to contend with; the supply has long since been inadequate to the demand. The proposed enactment, if it becomes a law, would merely add an ever increasing burden, by legislative enactment, to vessel owners without any compensating return whatsoever.

Second. Harbor tugs: The second clause of section 4 of the proposed amendment provides, viz:

"That every such vessel shall have in her service a sufficient number of licensed officers so that no one of them shall be required to be on watch more than fifty-six hours in any one week nor more than thirteen hours in any one day of twenty-four hours, from midnight to midnight."

We submit that in the harbor-tug service, working on tidal conditions, such a regulation, Federal or otherwise, would not be practical of application. The proposed regulation would require eight-hour shifts of crews of tugs engaged in harbor and bay towing. To assemble these tugs at any given point to change crews every eight hours would involve such a useless expenditure of time (even if it were possible to do it, which it is not) that the operation of a single harbor or bay tug, or a fleet of them, would be practically impossible, defeating the object for which the single tug or fleet of tugs was created by individual enterprise, to wit, for commercial purposes.

The effect of this piece of proposed legislation would be to compel this company to employ unnecessarily the following additional licensed and unlicensed men on our fleet of four harbor tugs operated, viz: Four captains, licensed; 4 engineers, licensed; 4 firemen, not licensed; 12 deck hands, not licensed.

It is useless and absurd to merely mention licensed men in the proposed enactment increasing boat crews; the unlicensed men will naturally demand equal privileges, and, moreover, obtain them, as a vessel no more than an army can be conducted on the lines of "all officers and no soldiers."

We know what to anticipate here, and have therefore included the unlicensed with the licensed, as both will follow logically each other to the everlasting

detriment and discomfiture of vessel owners, aided and abetted by destructive legislation, should this proposed enactment become a law.

Further, as regards the additional licensed men and also unlicensed men that would be required to man our boats if the proposed bill becomes a law, we know not where they could be secured; it is our everyday experience that some one or more of our sea and harbor fleet of steam towing tugs are held up indefinitely awaiting the securing of either a licensed man or an unlicensed man of the deck or engine-crew equipment, by reason of the fact that men are not to be had. The youth of America does not take kindly to maritime pursuits. There is always a dearth of licensed and also unlicensed men to man ships, both coastwise and deep water; hence unwise legislation that compels shipowners to overman their ships without any return either in safety conditions of navigation or counterbalancing compensating features in any direction whatsoever, can not be otherwise than productive of disastrous effects to American shipping generally and destructive to water-borne commerce.

There is a limit beyond which vessel owners can not go and still continue to operate boats; that limit is already reached. To impose further burden at unnecessary expense of operating will assuredly be the last straw that is required to cripple an industry that should be protected rather than destroyed.

The foregoing is an abstract expression of our views and protest against the proposed amendments as provided for in H. R. bill No. 8036, and we respectfully submit them, with a feeling of asurety that in your well-known excellent judgment of what is best for the promotion of the welfare of American shipping and maritime interests generally of the United States that the weight of your vote and influence in the committee of which you are a vital and integral part will be against favorable consideration of such a destructive piece of legislation as is proposed in bill H. R. No. 8036 with respect to the particular features mentioned in the within protest.

Very respectfully,

O. H. HAGERMAN,

Shipping and Freight Agent for Philadelphia & Reading Railway Co.

RESOLUTION.

At a regular meeting of the board of directors of the Vessel Owners & Captains' Association of Philadelphia, held March 17, 1916, the following preamble and resolution was unanimously adopted:

Whereas H. R. 8036, a bill entitled "To regulate officering and manning of vessels subject to the inspection laws of the United States," has been introduced in Congress; and

Whereas said bill limits the working hours for crews of steam vessels operating on inland and coastwise waters of the United States to an average of 8 hours per day, or not over 56 hours in a week, thereby increasing the required number of licensed officers 50 to 100 per cent. This would work a great hardship on all steam-vessel interests, particularly as there are not sufficient licensed officers now available to man vessels under the existing laws. Under the present law, calling for not over 13 hours per day for officers on steam vessels with single crews, it is barely possible to get the required work done owing to tidal conditions; and

Whereas small steam vessels that are now in service have only accommodations on board for single crews, and if this bill is passed there would not be sufficient room for the extra men, as required under the provisions of said bill. Furthermore, it would impose a heavy expense upon all steam vessels, causing considerable increase in cost of operation, thereby resulting in an increased cost for transportation of freight, which in the end would affect the general public: Therefore be it

Resolved, That the Vessel Owners' and Captains' Association of Philadelphia go on record as opposed to said bill and that copies of this resolution be forwarded to Hon. Wm. C. Redfield, Secretary Department of Commerce; Hon. J. W. Alexander, chairman Committee on Merchant Marine and Fisheries; and to Members of Congress.

[SEAL.]

ELISHA WORK, Jr.,
President.

Attest:

L. A. DEMPSEY, *Secretary.*

NATIONAL MARINE ENGINEERS' BENEFICIAL ASSOCIATION,
Washington, D. C., April 18, 1916.

Hon. JOSHUA W. ALEXANDER,

*Chairman Committee on Merchant Marine and Fisheries,
 House of Representatives, Washington, D. C.*

MY DEAR SIR: I desire to submit this brief to the Committee on Merchant Marine and Fisheries in further support of H. R. 8036, and respectfully request that the same be made a part of the hearing of April 6, 1916.

Mr. Walter B. Pollock, manager marine department, New York Central Lines, in his remarks, made this statement:

"And I want to state, regardless of any contradiction to the contrary, that it would be impossible to secure a sufficient number of licensed men, either in the deck or engineering departments, to put tugboats and steam lighters in New York Harbor on an 8-hour working schedule."

By matter marked "Exhibit A" you will note recent rulings by the Board of Supervising Inspectors, Steamboat-Inspection Service, dated February 19, 1916, wherein they have reduced the age limit that a license may be secured from 21 years of age to 19 years, all classes.

Also, that on March 30, 1916, a resolution was introduced in that board, and same has been approved by the Secretary of Commerce and now has the force of law, that a license may be issued to any person for lakes, bays, and sounds for second assistant engineer who has had 24 months' experience as oiler or water tender, and to a third assistant engineer who has had 18 months' experience as oiler or water tender, etc.

In the rulings referred to they were not at the request of any association of marine engineers, or masters, mates, and pilots. It is evident, then, that they emanated from some other source.

From information we have at hand, we know that there is sufficient licensed officers available to fill all positions, real or imaginary, provided that the steamship companies are willing to make conditions somewhere near what can be enjoyed ashore, and not compel men to work excessive and unreasonable hours.

We have accepted these rulings of the Department of Commerce: First, that we do not now or have we ever tried to create unnecessary positions, and where positions are created by the bill, in order that there may not be any argument that there will be a shortage of licensed officers, we accept the ruling creating an extra supply; second, that having more men than are in demand, at no time will commerce be delayed.

Mr. W. E. Bernard, representing the Vessel Owners' and Captains' Association and inland navigation on the Delaware River, says (p. 14 of hearings):

"This statement will show you that the net operating time—actual working time—employed in one boat is 9.11 hours, another 9.27 hours, another 9.4 hours. Now, gentlemen, that is for one entire year, and I think that is proof conclusive to your committee that the men are not being overworked on the inland waters; yet the proponents of this bill ask us to put on another additional crew to operate the boat over the 8 hours."

The average of 9.11 hours, 9.27 hours, and 9.4 hours, that he states is the actual working time, is 9.26 hours, which will be 55.56 hours for a week of six days and he still has 0.44 hours remaining that he can work the men. Evidently his clients give no day of rest and would allow no time for sleep, if the men could and would tolerate the condition.

Mr. Fred B. Dalzell, representing the New York Harbor tugboats, says, last paragraph, page 17, first and second paragraphs, page 18 of the hearing:

"I wish you could see, and be with us as an employer, some of the licensed mates to whom we have to intrust the lives of others as well as our valuable property. You would wonder how they are ever granted licenses by any Federal officer.

"I know they often get dizzy headed from other causes and sources, but not from overwork.

"* * * but on the announcement that supper was ready, he went to the galley for his meal, leaving the tug in charge of an incompetent deck hand, and she ran into the stern of a barge and did \$700 worth of damage. The tug was in the control of an incompetent deck hand, when the mate should have been there, or the captain, at least, should have stayed at the wheel."

If these statements are true, it was the duty of Mr. Dalzell to report them to the United States local inspectors of the Steamboat Inspection Service, and the offenders be punished.

I will incorporate a portion of letter received by Mr. Charles Sheplar, secretary of the Marine Engineers' Beneficial Association at Pittsburgh, Pa., dated five days after the hearing, and it demonstrates that the owners did and now are forcing their employees to sign statements to present to this committee.

This letter was written at Pittsburgh:

"CITY, April 11, 1916.

"MR. CHARLES SHEPLAR.

"DEAR SIR AND BROTHER: The river coal men have got up a paper for the men to sign, if they will help to knock the Alexander bill in Congress, of placing three eight-hour crews on these boats. In this paper it reads the men are satisfied with conditions and hours, which is not so, for any of them to sign it would be doing something they might regret later on.

"Yours, in U. and F.,

"(Signed) _____."

Exhibit C is another comparison of the crew of engineers carried on American and British vessels. Also data on foreign shipping.

Trusting that this will be incorporated as requested, and the bill given consideration by the committee, I am,

Yours, very truly,

BRUCE GIBSON,
National President,

National Marine Engineers' Beneficial Association.

EXHIBIT A.

(Accompanying brief to the Committee on the Merchant Marine and Fisheries, House of Representatives, on hearings H. R. 8036.)

DEPARTMENT OF COMMERCE,
STEAMBOAT-INSPECTION SERVICE,
Washington, February 19, 1916.

Circular letter.]

UNITED STATES SUPERVISING AND LOCAL INSPECTORS,
Steamboat-Inspection Service, and Others Concerned:

Under the provisions of section 4405, Revised Statutes of the United States, the Board of Supervising Inspectors, Steamboat-Inspection Service, at a regular annual meeting held in Washington, D. C., on February 18, 1916, adopted the following resolution:

"Resolved, That the following be made the second sentence of the first paragraph of section 1, Rule V, all classes, General Rules and Regulations prescribed by the Board of Supervising Inspectors:

"Any person who has attained the age of 19 years and has had the necessary experience shall be eligible for examination."

The first paragraph of section 1, Rule V, all classes of rules, as amended, reads as follows:

"Before an original license is issued to any person to act as a master, mate, pilot, or engineer he shall personally appear before some local board or a supervising inspector for examination. Any person who has attained the age of 19 years and has had the necessary experience shall be eligible for examination."

This amendment to the rules having received the approval of the Secretary of Commerce on February 18, 1916, has now the force of law and must be observed accordingly.

GEO. UHLER,
Supervising Inspector General.

DEPARTMENT OF COMMERCE,
STEAMBOAT-INSPECTION SERVICE,
Washington, April 1, 1916.

Mr. BRUCE GIBSON,
*National President National Marine Engineers'
Beneficial Association, 50 Broad Street, New York, N. Y.*

SIR: Referring to previous correspondence in regard to the age at which a person may obtain a license from this service, you are informed that the Board of Supervising Inspectors has now passed the following resolution in regard to this matter:

"Before an original license is issued to any person to act as a master, mate, pilot, or engineer, he shall personally appear before some local board or a supervising inspector for examination. Any person who has attained the age of 19 years and has had the necessary experience shall be eligible for examination: *Provided*, That no person shall receive a license as master or chief engineer before reaching the age of twenty-one years."

The above resolution, having been approved by the Secretary of Commerce, now has the force of law.

I have no doubt this will be appreciated by the local organizations of your association and trust that you will inform them of the same at your earliest convenience.

Yours, very truly,

D. J. DOUGHERTY,
Secretary of the Board.

DEPARTMENT OF COMMERCE,
STEAMBOAT-INSPECTION SERVICE,
Washington, April 13, 1916.

Mr. BRUCE GIBSON,
*National President Marine Engineers' Beneficial Association,
Fontanet Courts, Fourteenth and Fairmont Streets, Washington, D. C.*

DEAR SIR: In compliance with telephonic request of the 12th instant I herewith inclose you a copy of the resolution adopted by the board in regard to experience required of applicants for license as second assistant engineer and third assistant engineer. You will find inclosed herewith copy of the resolution referred to, which has been approved by the Secretary of Commerce.

Respectfully,

D. J. DOUGHERTY,
Secretary of the Board.

RESOLUTION OR MOTION.

DEPARTMENT OF COMMERCE AND LABOR.
STEAMBOAT-INSPECTION SERVICE,
Washington, March 30, 1916.

Mr. N. B. Nelson, supervising inspector, ninth district, offers the following resolution:

Resolved, That the following be added to and made the last sentence of the first paragraph of section 32, Rule V, lakes, bays, and sounds, current rules and regulations:

"*Provided further*, That applicants for license as second assistant engineer who have served for a period of 24 months as oiler or water tender on steam vessels having more than 750 indicated horsepower, and who have assisted in the overhauling of the machinery or in the fitting out and laying up during that period, may be examined and licensed as second assistant engineer; and that applicants for license as third assistant engineer who have served for a period of 18 months as oiler or water tender on steam vessels having more than 750 indicated horsepower, and who have assisted in the overhauling of the machinery or in fitting out and laying up during that period, may be examined and licensed as third assistant engineer. The applicants provided for herein must possess the other qualifications as specified in this section."

N. B. NELSON.

EXHIBIT C.

(Accompanying brief to the Committee on Merchant Marine and Fisheries, House of Representatives, on hearings H. R. 8036.)

ANOTHER COMPARISON OF THE NUMBER OF ENGINEERS CARRIED ON BRITISH AND AMERICAN VESSELS.

[From testimony of Hon. William C. Redfield before the Committee on Merchant Marine and Fisheries, February 10, 1916, on H. R. 10500, page 153.]

The steamship *Sonoma*, of the Oceanic Steamship Co., operating between San Francisco, Cal., and Australia under the America flag: 6,279 gross tons, 3,911 net tons, 1 chief engineer, 4 assistant engineers, 2 refrigerating engineers.

The steamship *Moana*, of the Union Steamship Co., operating between San Francisco, Cal., and Australia under the British flag: 3,914 gross tons, 2,414 net tons, 1 chief engineer, 6 assistant engineers.

The *Sonoma* is a sister vessel to the *Sierra* and *Ventura*, engaged in the same trade that the *Moana* is in.

These three steamers, *Sonoma*, *Sierra*, and *Ventura*, are of nearly 9,000 indicated horsepower each, which is about 4,000 indicated horsepower over the *Moana*.

GREAT BRITAIN.

The merchant shipping act of 1894 (secs. 267 and 268) classifies vessels carrying passengers under two headings, "passenger steamers" and "emigrant ships." Every steamer, British or foreign, which carries passengers to or from any place in the United Kingdom, is a "passenger steamer," while the expression "emigrant ship" means every ship, British or foreign, which carries, on any voyage from the British Islands to any port out of Europe and not within the Mediterranean Sea, more than 50 steerage passengers, or a greater number of steerage passengers than in the proportion of one statute adult to every 33 tons of the registered tonnage in the case of a sailing ship, or every 20 tons in the case of a steamship.

The number of persons in the engine room and stokehold of emigrant ships is also fixed by the board of trade. Rule 23 of the instructions relating to emigrant ships, issued in 1911, provides as follows:

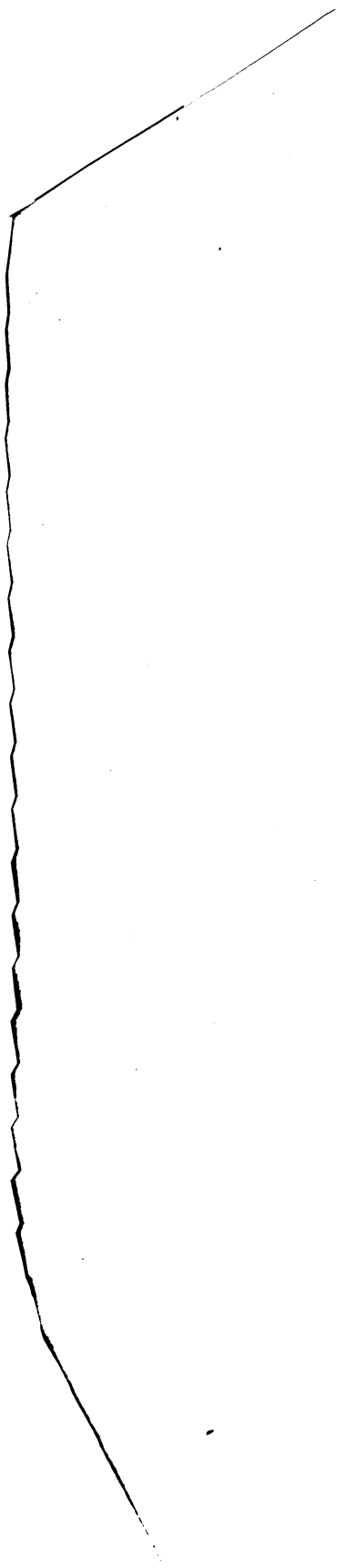
Engine room and stokehold staff required.

Nominal horsepower of engines.	Engi-neers.	Donkey men.	Greasers.	Store-keepers.	Firemen.
100 to 200.....	4	1	1	} One fireman for every 18 square feet of fire-grate surface in the boilers.
200 to 300.....	4	1	2	1	
300 to 400.....	5	1	3	1	
400 to 600.....	6	1	3	1	
600 and over.....	7	1	3	2	

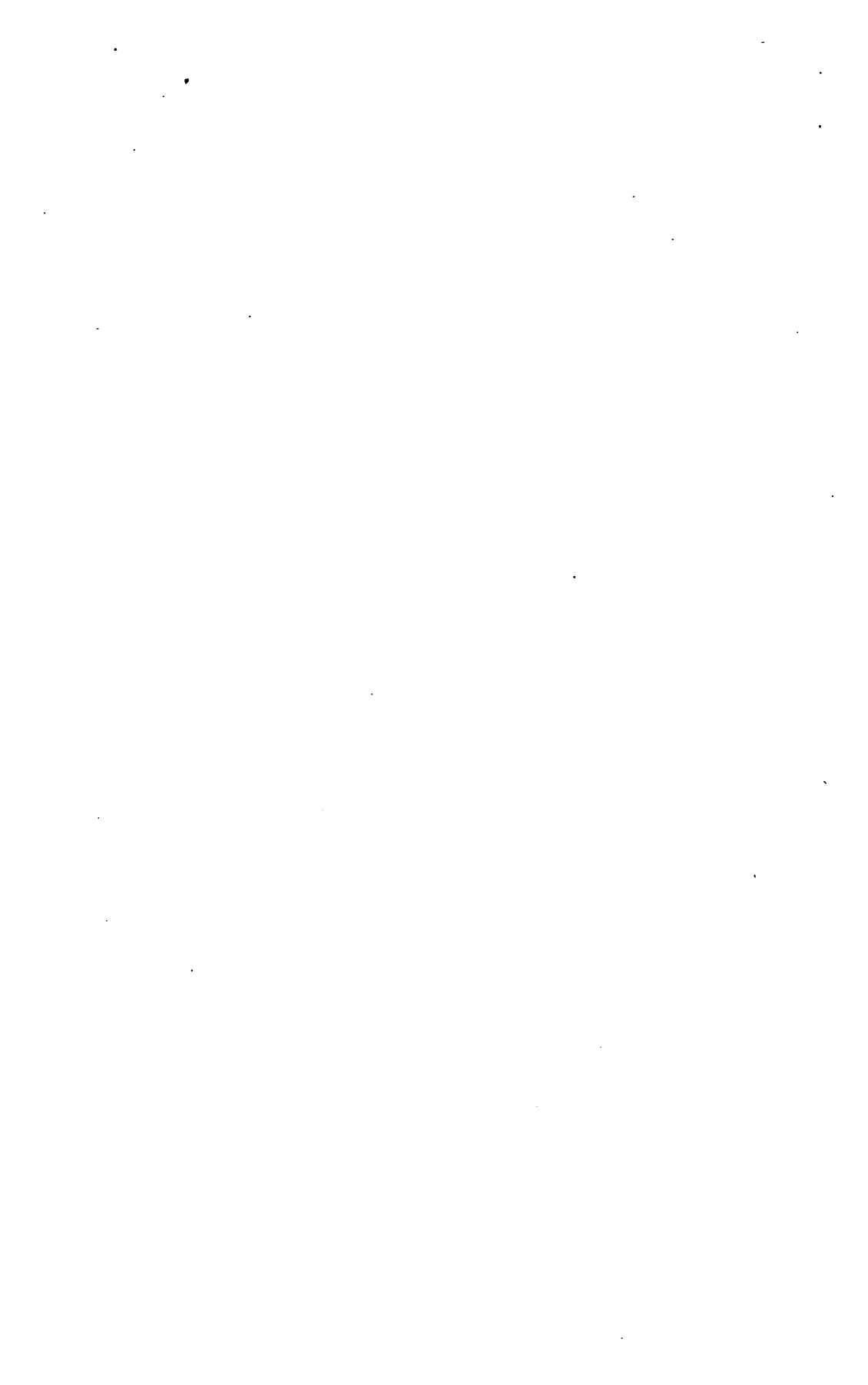
Germany issues the following different grades of engineers' licenses: Chief engineer; engineers, Class I, Class II, Class III, Class IV.

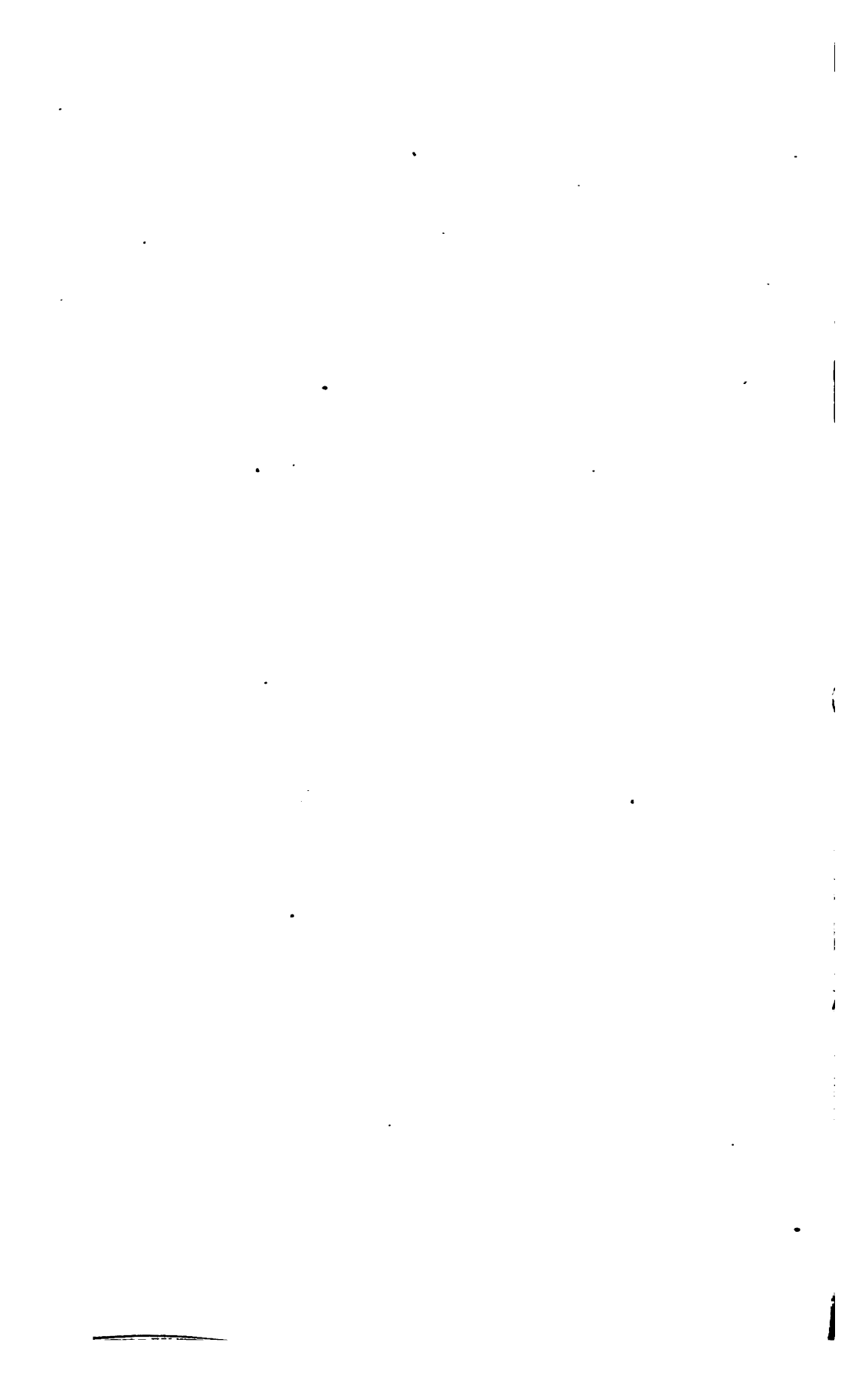
Japan issues the following grades: Engineer, first class, second class, third class, fourth class—general lake, river, or harbor vessel, motor boat.

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